United Nations A/58/PV.51

General Assembly
Fifty-eighth session

Official Records

51st plenary meeting
Friday, 31 October 2003, 3 p.m.
New York

President: The Hon. Julian R. Hunte ..... (Saint Lucia)

In the absence of the President, Mr. Kirn (Slovenia), Vice-President, took the Chair.

The meeting was called to order at 3.10 p.m.

Agenda item 108 (*continued*)

Crime prevention and criminal justice

Report of the Ad Hoc Committee for the Negotiation of a Convention against Corruption on the work of its first to seventh sessions (A/58/422 and A/58/422/Add.1)

Draft resolution (A/58/422, para. 103)

The Acting President: I give the floor to the representative of China, who will speak on behalf of the Group of Asian States, to introduce the draft resolution contained in document A/58/422, paragraph 103.

Mr. Zhang Yishan (China) (*spoke in Chinese*): I am speaking on behalf of the Group of Asian States.

Today the General Assembly will adopt the draft United Nations Convention against Corruption. This is an important moment for the international community, because the draft Convention we are going to adopt is a very important legal instrument that represents the crystallization of the international community's efforts to preserve the international legal system and to combat corruption.

The States members of the Asian Group welcome the success of the Ad Hoc Committee for the Negotiation of a Convention against Corruption. We express our appreciation for the arduous efforts and cooperative spirit of the delegations participating in the negotiations. We would also like to express our thanks to the United Nations Office on Drugs and Crime for its help. We wish further to express our appreciation for the enormous contribution that Ambassador Héctor Charry Samper of Colombia, the late Chairman of the Ad Hoc Committee, made to the drafting of the Convention. Although he has left us, his spirit, enthusiasm and contributions will encourage us to better carry out the fight against corruption.

The States members of the Asian Group support the General Assembly's adoption of the draft resolution on the United Nations Convention against Corruption, which is contained in paragraph 103 of document A/58/422. We also believe that the adoption of the draft Convention will contribute to enhancing the international community's fight against corruption.

Mr. Staehelin (Switzerland) (*spoke in French*): Switzerland welcomes the conclusion of negotiations in the Ad Hoc Committee for the negotiation of a Convention against Corruption, which marks a significant advance in the international effort to eradicate one of the greatest scourges of our time. The Government of Switzerland calls upon States to sign the Convention instrument as soon as possible.

The community of States will henceforth benefit from an additional important instrument to foster good

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governance. In that way, the Convention will make a substantial contribution to improving the rules governing international trade by introducing greater transparency and equity in transactions. For the first time, an international convention includes the principle of the obligatory return of illicitly acquired funds. My country welcomes that development, to which the delegation of Switzerland contributed very actively during the Committee's negotiations. That development is also in line with our well established practice vis-à-vis legal cooperation and the return of assets of politically exposed persons.

With regard to the return of illegally acquired assets, the establishment of new international standards and their conversion into international law is more than necessary. The comprehensive Convention against Corruption marks an undeniable step forward in the application of the fundamental principles governing our legal systems. It is also clear evidence of a desire to strengthen equality in our societies.

Mr. Lobach (Russian Federation) (*spoke in Russian*): May I first of all thank Ambassador Muhyieddeen Touq of Jordan, Acting Chairman of the Ad Hoc Committee for the Negotiation of a Convention against Corruption, for introducing to the General Assembly the Committee's report (A/58/422 and Add.1) on its work. I would also like to join others in expressing condolences on the death of Ambassador Héctor Charry Samper of Colombia, Chairman of the Ad Hoc Committee, who made a great personal contribution to the drafting of the Convention.

The Russian Federation is very pleased to note the successful completion of work on the draft Convention against Corruption. In our view, every aspect of the draft Convention against Corruption — which was prepared in a very short period of time — including the question of the repatriation of financial resources acquired in an illicit manner, deserves very high praise. The Ad Hoc Committee took into account all approaches with demonstrated practical value in the context of combating corruption. The resulting text thus takes into account all aspects of the fight against corruption. It also significantly broadens the opportunities for effective cooperation among States in this area.

The Convention against Corruption is destined to rank among the other basic legal documents prepared under the auspices of the United Nations, both in terms of the importance and innovative nature of its main provisions and in terms of the variety of mechanisms to be brought into play to fulfil the aims and purposes of the Convention.

The question of the repatriation of assets illicitly acquired and illegally exported across borders is a priority for our country. We believe that the existence of effective mechanisms to counter money-laundering and of procedures to provide for the return of assets illegally acquired through corruption is highly desirable. In that regard, we note with satisfaction that the draft Convention contains the necessary mechanisms to strengthen the overall fight against international corruption and to detect, confiscate and return illegally acquired assets, as well as provisions for the prevention of the transfer of resources illegally acquired through corruption. We hope that those key provisions of the draft Convention will work in practice.

In conclusion, I would like to express our hope for the success of the High-level Political Signing Conference for the Convention, which will held in Merida, Mexico, in December. We hope that this important international instrument will quickly enter into force.

Mr. Oratmangun (Indonesia): On behalf of my delegation, I would like to thank the Ad Hoc Committee for the report we have before us on the work it did to produce the Convention against Corruption. My delegation notes that it took the Committee less than two years to complete work on the proposed Convention, which is, without a doubt, a truly effective, comprehensive and workable legal instrument as it stands. We therefore take this opportunity to commend the Committee for the high level of efficiency with which it has fulfilled its mandate.

Because no society is immune from the scourge of corruption, Indonesia welcomes the adoption of the Convention against Corruption as an important legal instrument that will be available to all societies to combat this evil. Indeed, the basic premise of the Convention is that positive action must be taken by all segments of society for social and economic justice to prevail.

A society inflicts injury on itself if it is aware that there is corruption in its midst, yet it tolerates it as a necessary evil of politics. Politics is about the public

good, not private gain for crooked politicians and businessmen. Developing countries, especially those burdened with debt, can ill afford to suffer the economic and social losses caused by corruption. Any developing country that is casual about corruption will put its progress at risk.

Not only does corruption cause a haemorrhage of funds needed for investment to promote sustainable development, but it threatens the fabric of society in many ways. It undermines democracy, can destabilize Governments, taints public service, and can, in the long run, breed poverty. Because of its connection to organized crime, corruption can also lead to increased violence in society — and without peace, societies cannot concentrate on their development goals.

What this means is that there must be national and international efforts to combat the scourge of corruption. The Convention does just that. Its provisions call for collaboration within, between and among nations to prevent and combat the transfer of funds of illicit origin derived from acts of corruption. More than that, it approaches corruption through the doorway of good governance, including among its many provisions activities that will encourage transparency and accountability in public- and private-sector affairs.

However, for international efforts to be strong and effective, national and regional efforts also must be strong and effective. While Indonesia firmly supports international cooperation such as extradition and mutual legal assistance between States, and, while it has been involved in regional activities to combat corruption, it has also taken decisive legal steps in recent times to combat corruption at home. To deal with corruption and prevent the transfer of funds derived from acts of corruption, the Government of Indonesia passed Law No. 31 in 1999, later amended and improved by Law No. 20 in 2001. By Law No. 30/2002, it established an anti-corruption commission and passed Law No. 15/2002 to counteract money laundering, and its amendment has removed the $500 million threshold. An independent financial intelligence unit to prevent and eliminate money laundering also has been set up. In that same year, the Government also initiated action to establish the National Coordination Committee on Money Laundering.

Indonesia is therefore very pleased that the Ad Hoc Committee has completed work on the Convention against Corruption. The Convention is a significant instrument available to nations in their fight to eliminate corruption at the national and international levels. Its true value will be known only when the Convention is signed, ratified and implemented by all States. Indonesia is committed to achieving those objectives in due course.

In that regard, Indonesia welcomes the convening in December this year, in Merida, Mexico, of the High-Level Political Signing Conference for the United Nations Convention against Corruption.

Mr. Bin Rindap (Nigeria): The draft Convention against Corruption which is before us is a milestone in the history of the United Nations. It marks the fulfilment of the mandates set out by the General Assembly in its resolutions 55/61 and 56/260 of 4 December 2000 and 31 January 2002, respectively. The interest shown by all delegations during the negotiations, which spanned seven sessions, was an indication of the transboundary nature of the scourge of corruption, which transcends all countries and all regions.

The Convention is the only broad-based instrument that attempts to tackle, for the first time, all aspects of corruption, including money laundering. It addresses corruption in both the public and private sectors. We particularly welcome the provisions of the chapters on prevention and on assets recovery.

Nigeria shares the view expressed by the Secretary- General at the conclusion of the negotiations that the Convention can make a real difference to the quality of life of millions of people around the world. That is because we believe that the proceeds of corruption concealed in foreign countries far exceed the amount received in terms of official development assistance.

The provisions of chapter V on asset recovery are of particular importance to Nigeria in view of our experience as a victim State. To us, this is the crux of the Convention. Also of key importance is international cooperation, particularly in the area of mutual legal assistance in the tracing, confiscating and transfer of assets of illicit origin to the countries of origin. We are convinced that the prevention and eradication of corruption is the responsibility of all States, because its negative effects have an impact on all countries and

societies — hence the need for international cooperation to combat it.

The purpose of the Convention is to promote and strengthen measurers to prevent and combat corruption more efficiently and effectively. The Convention is a useful tool for enhancing national mechanisms to fight corruption. For my country, it will enhance the implementation of our Government's anti-corruption measures.

Corruption is a threat to sustainable development and to the rule of law. It is also a threat to the enjoyment of human rights and fundamental freedoms for all and deprives the victim countries of much-needed funds for development. We call upon all countries to sign and ratify the Convention to enable it to come into force as soon as possible. We call also upon those countries harbouring proceeds of corruption and assets of illicit origin to remove all obstacles and return any concealed assets to their countries of origin. They should demonstrate their commitment to the fight against corruption by providing much-needed mutual legal assistance to those States that request it.

Mr. Ozawa (Japan): The United Nations Convention against Corruption has taken almost three years to elaborate. Through its adoption today, we will be taking a great step forward in combating corruption, which is a type of misbehaviour common to all our societies, regardless of the level of economic development. We would like to reiterate our appreciation to all those who were involved in the negotiations for their unparalleled efforts, and especially to the late Chairman of the Ad Hoc Committee for the Negotiation of a Convention against Corruption, Ambassador Samper, for his devotion to completing this task. His sudden death in September, just before the conclusion of the negotiations, was a great loss and saddened all of us.

The comprehensive convention before us today is the first universal legal instrument against corruption. Japan, as an Asian country, particularly welcomes this development as Asia has no regional instrument to address that problem.

The Convention contains a wide range of preventive measures that are essential in promoting government transparency and accountability. The next step after its adoption will be for each Member State to turn their attention to implementing the Convention effectively, both domestically and internationally.

We would also like to touch on the importance of preventing and combating what is called "passive bribery" by public officials in international organizations, including the United Nations. To this end, we believe a truly effective and efficient framework — one that takes the privileges and immunities of United Nations officials into account — is necessary to comprehend and analyse the current situation in regard to this type of corruption.

Finally, I would like to take this opportunity to offer an example of the contribution that Japan can make in this area. In Tokyo, we have established the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders. This regional organization is dedicated to establishing, through dialogue and deliberation, international cooperation to address issues relating to criminal justice, including corruption.

I wish to close by expressing the hope that the Convention will be adopted as the culmination of our efforts over the past three years.

Mr. Paulinich (Peru) (*spoke in Spanish*): Peru would like to say how pleased and satisfied it is with the conclusion of the work of the Ad Hoc Committee for the Negotiation of a Convention against Corruption and that we now have before us a draft United Nations Convention against Corruption for consideration and adoption in the General Assembly.

Peru reaffirms its abiding commitment to eliminate corruption in all its forms and manifestations and at all levels. Corruption has a serious effect on society's structures, it impairs democracy and weakens institutions and the rule of law. It also seriously impedes the mobilization and efficient allocation of resources and imperils sustainable development, particularly when an inadequate national and international response to corruption abets impunity.

My country suffers directly from the effects of corruption, but we were able to thwart it at an early stage and are now dealing with the crime squarely, as can clearly be seen in the domestic measures that my Government has implemented and in our full support for the decision to prepare an international instrument against corruption.

Corruption crosses borders and imperils not only directly affected nations, but also the international community as a whole, developed and developing

countries alike. The international nature of the problem calls for a joint response that involves us all: Governments, international and non-governmental organizations and civil society.

In the struggle against corruption international cooperation is indispensable. On the one hand, there must be a prompt and unconditional return of assets of illicit origin. On the other hand, only with such cooperation can there be effective judicial assistance to bring corrupt individuals to justice and to prevent impunity from taking root, discouraging the rule of law and democratic values in our societies.

Despite the efforts undertaken by a number of Governments at the regional level to deal with corruption and the instruments designed to that end, the transnational nature of the problem and the resulting need for a response by the entire international community led United Nations Member States to unanimously decide to elaborate a universal, comprehensive convention against corruption and to set up an Ad Hoc Committee for that purpose, under resolution 55/61 of 4 December 2000.

Two years after this task was undertaken, we are gratified to say that the negotiations on the Vienna draft convention have now been successfully concluded. The new instrument is of historic significance because it goes beyond current standards in international law, innovating particularly with regard to the recovery of assets — a chapter in the convention for which Peru, as vice chair of the Committee, was responsible.

The measures to ensure the recovery of funds are binding in nature and call for the establishment of machinery to enable countries — particularly developing ones — whose assets of illicit origin have been transferred abroad, to be able to recover them through coordinated efforts of multilateral institutions such as the United Nations, particularly the United Nations Office on Drugs and Crime, and the World Bank.

Additionally, the draft convention contains other indispensable elements in our struggle against corruption, such as preventive measures, legal assistance to prosecute wrongdoers, and the expeditious extradition of corrupt individuals.

Thus, we urge all countries to show political will by participating at the highest possible level in the signing ceremony to be held from 9 to 11 December in Mérida, Mexico, so that we may work together and attain the 30 ratifications necessary for the convention to enter into force.

In Monterrey, we agreed that combating corruption at all levels was a priority. All of our Governments must now take up the challenge to fight corruption together on all fronts.

Mr. Goussous (Jordan) (*spoke in Arabic*): It is a pleasure to extend the thanks of my delegation to the Ad Hoc Committee for the Negotiation of a Convention against Corruption for their tremendous efforts over the past two years. Their work has led to the elaboration of a comprehensive and pragmatic convention to combat corruption at both the international and national levels, embodying the will and determination of the international community to take all appropriate measures to put an end to the scourge of corruption.

I would like to extend my thanks, particularly to the members of the Committee, who have led the negotiations on the draft convention which we are considering today in this international forum. We have added a new tool to international efforts aimed at combating crime in all its forms. That effort began here three years ago, when we adopted the United Nations Convention against Transnational Organized Crime.

As is well known, corruption is a phenomenon that is spreading in all countries and communities and is even becoming a transnational issue that national efforts alone cannot combat. The United Nations Convention against Corruption therefore opens up new prospects to combat corruption through international cooperation and the exchange of information. Corruption undermines the pillars of society and seriously harms any effort aimed at development. It also destabilizes moral values and standards and contradicts the principle of good governance, which constitutes one of the most important pillars of progress. Combating corruption therefore requires the comprehensive and multidisciplinary approach provided by the Convention we are considering today.

In addition to dealing extensively with money laundering and comprehensively addressing various manifestations of corruption, the Convention includes chapters on the control and prevention of corruption and on the return of property, thus establishing the basis for an organized international effort that may

serve as an example for future instruments. It is therefore imperative that we endorse and ratify the Convention as soon as possible. Before doing that, however, all States must make every effort to attend the high-level political Signing Conference to be held in Merida, Mexico, in December.

In conclusion, I must say that the international community has honoured my country by selecting our Permanent Representative to the United Nations in Vienna as the Chairman of the negotiating Committee. That serves to redouble our country's sense of responsibility with regard to combating corruption at the national level, which we started seriously some time ago, and to working with the international community on this important issue. I should also say that my country will take this matter very seriously.

I would also like to convey my gratitude to the Secretary-General for his support of the work of the Ad Hoc Committee for the Negotiation of a Convention against Corruption. I also appreciate the support provided during the past two years by the Office for Drug Control and Crime Prevention in Vienna under the leadership of Mr. Antonio Maria Costa.

Mr. Strømmen (Norway): Norway joins previous speakers in paying tribute to the late Ambassador Héctor Charry Samper of Colombia.

The fight against corruption must take place at two levels, the national and the international. The measures needed may not be the same at those two levels, but no country can overcome corruption nationally if it ignores the international aspects. International cooperation is imperative.

Norway therefore welcomes the adoption of the United Nations Convention against Corruption. We believe that that Convention, which is the first global instrument against corruption, is a milestone and that it will be key in the fight against the evils of corruption.

The Convention addresses many important issues, such as preventive measures, which are of great importance in combating corruption. We are also particularly pleased that private-sector corruption is included, although in a non-binding manner, and that the repatriation of illicit funds is finally covered by an international instrument.

As corruption is a global problem, it requires a global collective effort. The Convention provides a foundation for that. An effective United Nations instrument will serve as the necessary framework for better coordinated action. However, the Convention alone will not solve the problem unless it is effectively enforced.

To ensure that the Convention is implemented and legislation is enforced, it is vital to have an effective follow-up mechanism. Without such a mechanism we feel that the Convention will lack an essential element. We cannot allow the disparity between what is said and what is done to undermine the credibility of the Convention and the credibility of States in the fight against corruption. We therefore urge all States to ratify the Convention as soon as possible and to ensure its effective implementation through a sound and objective follow-up mechanism.

Mr. Dajer (Colombia) (*spoke in Spanish*): The introduction to the General Assembly, over which the President so ably presides, of the text of the United Nations Convention against Corruption barely two years after the establishment of the Ad Hoc Committee for the Negotiation of a Convention against Corruption is an event that reflects great dedication. Ambassador Héctor Charry Samper, an eminent Colombian citizen and diplomat by training, participated in the Ad Hoc Committee with great dedication since it first began to meet, its began to meet — from 21 January to 1 February 2002, when he was elected the Committee's Chairman by acclamation — until his death in the beginning of September 2003. Today the outcome of the Committee's combined efforts and teamwork, as well as the ideas presented there, have made it possible for us to consider a legal instrument whose 71 articles contain essential elements related to fighting corruption, which is a major enemy of democracy.

It is essential to have instruments such as this to contribute to effectively combating yet another evil threatening democracy and democratic institutions. We therefore invite all States to participate at the high-level political Signing Conference to be held in Merida, Mexico. That would be the greatest tribute that could be paid to the individual who worked closely with over 120 States to make the Convention a reality, Ambassador Héctor Charry Samper.

I would like to thank all his colleagues in the Ad Hoc Committee for remembering Ambassador Samper with such gratitude on this auspicious day. I would also like to thank everyone here. Rest assured that in adopting the draft resolution containing the Convention

we will be expressing the gratitude of our Governments and of his relatives.

Mr. Šerkšnys (Lithuania): On behalf of the Group of Eastern European States, I would like to welcome the imminent adoption of the United Nations Convention against Corruption. At the same time, I would like to express our appreciation for the work done in Vienna. This universal instrument is the outcome of almost two years of constructive dialogue in which 130 Governments took an active part.

Corruption is a particular criminal phenomenon that harms the economic and social foundations of States, and even of regions. In that regard, comprehensive action must be taken.

Once again, we highly commend the successful completion of negotiations. I also commend what I believe will be the adoption of the United Nations Convention against Corruption, which contains comprehensive provisions on prevention, law enforcement and the enhancement of relevant actions at the national and international levels. Along with other delegations, we are satisfied that today's international legal space will be enriched by that important document.

The Acting President: We have heard the last speaker in the debate on this agenda item.

We shall now proceed to consider the draft resolution recommended by the Ad Hoc Committee in paragraph 103 of its report contained in document A/58/422.

I give the floor to the representative of the Secretariat.

Mr. Botnaru (Chief, General Assembly Affairs Branch): Before taking action on the draft resolution recommended by the Ad Hoc Committee for the Negotiation of a Convention against Corruption, in paragraph 103 of its report (A/58/422), I should like to inform members that, in paragraph 5 of the draft resolution, the General Assembly would decide that the Ad Hoc Committee for the Negotiation of the United Nations Convention against Corruption will complete its tasks arising from the negotiation of the United Nations Convention against Corruption by holding a meeting well before the convening of the first session of the Conference of States Parties to the Convention.

The Ad Hoc Committee is expected to hold that meeting in 2005. The related conference servicing requirements are estimated to amount to $198,800 at full cost. Provisions have already been made for this meeting in the proposed programme budget for the biennium 2004-2005. Therefore, no additional appropriation would be required.

In paragraph 8, the Assembly would request the Secretary-General to designate the United Nations Office on Drugs and Crime to serve as the secretariat for and under the direction of the Conference of the States Parties to the Convention. Given the complex nature and wide scope of the functions that the secretariat will have to perform, it is considered that current staff resources would probably need to be strengthened after the Convention enters into force. It is not possible to assess at this stage the necessary staffing resources to fulfil Convention secretariat functions in accordance with article 64 of the Convention. The United Nations Secretariat would be in a position to make that assessment only in the light of the recommendations made by the Ad Hoc Committee at the preparatory meeting, to be held before the first session of the Conference of the parties, and the decisions that the Conference of the States Parties will take at its first session.

Given the importance attached by delegations to the Convention, the Secretariat estimates that the Convention may enter into force in the 2004-2005 biennium period and that the first session of the Conference of the States Parties would be held in 2006. Consequently, it may be anticipated that additional regular budget resources may be required to support article 64, on operations in the 2006-2007 biennium period.

In paragraph 9, the Assembly would also request the Secretary-General to provide the United Nations Office on Drugs and Crime with the resources necessary to enable it to promote in an effective manner the rapid entry into force of the United Nations Convention against Corruption, discharge the functions of the secretariat of the Conference of the States Parties to the Convention and support the Ad Hoc Committee in its work.

The proposed 2004-2005 biennium programme budget already includes resources to enable the Secretary-General to promote the rapid entry into force of the United Nations Convention against Corruption.

With regard to resources for the discharge of functions of the secretariat of the Convention, it may be noted that, while no immediate additional provisions are required, there will probably be additional requirements arising during the 2006-2007 biennium.

In the absence of any specification in the Convention of alternate modes of financing, such costs would need to be financed from the regular budget of the United Nations. This information will be reflected in a document of the General Assembly.

The Acting President: The Assembly will now take a decision on the draft resolution entitled "United Nations Convention against Corruption", recommended by the Ad Hoc Committee for the Negotiation of a Convention against Corruption in paragraph 103 of its report, document A/58/422.

May I take it that the Assembly decides to adopt the draft resolution?

The draft resolution was adopted (resolution 58/4).

The Acting President: The Assembly has thus concluded this stage of the consideration of agenda item 108.

Agenda item 42

Follow-up to the United Nations Year for Cultural Heritage

Report of the Secretary-General (A/58/402)

Draft resolution (A/58/L.11)

The Acting President: In accordance with General Assembly resolution 57/158 of 16 December 2002, I call on Mr. Koichiro Matsuura, Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO), to address and present an overview of the activities undertaken during the United Nations Year for Cultural Heritage.

Mr. Matsuura (United Nations Educational, Scientific and Cultural Organization) (*spoke in French*): I wish to thank you for giving me the opportunity to address this Assembly to take stock of the follow-up to the United Nations Year for Cultural Heritage. The opportunity offered to me today, which I think is the first in the history of our two institutions, will in fact go far beyond a simple briefing exercise.

On 21 November 2001, in this same Hall, the Assembly decided that 2002 should be devoted to celebrating cultural heritage. I warmly thank the initiator, Egypt, and all other countries that firmly supported the principle. The objective of that celebration was to make public authorities and the international community aware of the broadened concept of cultural heritage and of what is really at stake in that concept, which goes far beyond a focus on monuments, an approach to which that concept is often reduced. I think that we have succeeded in that.

Wole Soyinka, Nobel Prize Laureate in literature and UNESCO Goodwill Ambassador, recently stated,

(*spoke in English*)

> "The tendency to eradicate all vestiges of the humanity of others is crucial to the project of domination or diminution of status of others. At the heart of it lies intolerance, which is as much a child of ignorance as it is of fear of external knowledge, which frequently encompasses a suspicion that such knowledge may question one's own given".

(*spoke in French*)

What is cultural heritage? It is an open-ended notion that bears witness to the universality of human genius in its creation. It encompasses not only the many cultural remains, but also living culture and its countless examples, be it cultural landscapes, the fruit of interaction between human beings and their natural environment or even the new category called "intangible heritage". Belonging to that category are systems of knowledge in which human beings inscribe their creations, such as the performing arts, rituals, festive events, as well as their means of transmission such as social practices, traditional knowledge and oral traditions.

This broadened concept of cultural heritage reminds us that we can grasp cultural expression only as a whole. Tangible expressions of culture can be appreciated only in relation to other tangible expressions and by understanding their interactions with their tangible, intangible, natural and human environment. That was the first objective of the Year: to promote understanding and acceptance of a broadened notion of cultural heritage in order to appreciate its dynamic, global and evolving nature and

to be aware of the need to care for all its manifestations.

UNESCO has striven to provide the international community with legal instruments that address that multiplicity. With respect to tangible cultural heritage and immovable heritage, the success of the 1972 Convention for the Protection of World Natural and Cultural Heritage is unprecedented. It has been ratified by 176 States, making it one of the world's most universally ratified conventions. The Convention brought about an evolution in the concept of heritage, in particular by integrating the notion of cultural landscape and sacred natural sites. However, it did not completely fill the lacuna on the protection of intangible cultural heritage. That is why it is of great satisfaction to me to see the member States of UNESCO call for the adoption this year of the International Convention for the Safeguarding of the Intangible Cultural Heritage, demonstrating their awareness of the importance and urgency of preserving one of the most vulnerable and most fundamental aspects of cultural heritage. I hope that many States will rapidly ratify this new Convention and all conventions comprising the overall mechanism for protecting cultural heritage.

In the same spirit, I welcome the recent adoption of the UNESCO Declaration concerning the Intentional Destruction of Cultural Heritage, which States requested UNESCO to draft following the deliberate destruction of the Bamiyan Buddhas. In fact, the Hague Convention of 1954 applies only to the protection of cultural property in the event of armed conflict. It was therefore urgent to create an instrument to provide a moral and ethical reference point for the protection of cultural heritage in peacetime.

We can never overemphasize the importance of relentlessly fighting the illicit traffic in cultural property and the need for international cooperation in the form of the broad ratification of the 1970 UNESCO Convention against illicit traffic in cultural property and assistance in returning cultural property to its country of origin.

As a meeting place, heritage possesses the primary characteristic of diversity. That was the second objective of the Year: to create awareness of the broadened concept of heritage in all its rich diversity. As a result of its diversity of expression and diversity of influences and origins, it is a symbol of the cultural identity of peoples and communities and, at the same time, testimony of the collective memory of humanity and the conditions for humanity's future. That was the key message of the UNESCO Universal Declaration on Cultural Diversity, unanimously adopted in November 2001, which recalls that all efforts for development must be based on diversity.

There can be no development without participation, local empowerment and inclusion. Culture alone can encourage such participation. In order to involve local populations in determining their own requirements and development projects, we must recognize the diversity of approaches, choices and values that underpin development projects. In short, we must accept cultural diversity in the design of future societies. Culture cannot in any event be considered an option for possible inclusion in the material objectives of development. Only human capital, which is nourished and reinvigorated through cultural heritage, provides the basis for building and developing the societies of tomorrow. That is the key argument for the indivisibility of culture and development, which constitute a foundation of solidarity for the advancement of democracy and equality throughout the world. In that spirit, UNESCO's member States have just given us a mandate to prepare an international convention on the diversity of cultural content and artistic expression. In brief, culture cannot wait because it is central to any process for progress in the service of humanity.

Finally, the third purpose of the Year was to show how essential cultural heritage is to creating lasting peace. If the misappropriation of cultural property for the purpose of exclusion are so shocking to us today, it is undoubtedly because we have all realized its usefulness for social cohesion and for bringing whole cultural communities together.

I referred earlier to the Bamiyan Buddhas. I wish to recall the visit to UNESCO by President Karzai a few months after he assumed office in Afghanistan in the spring of 2002. In that meeting, he underlined that culture, alongside education, should constitute a pillar for the reconstruction of his country, thus demonstrating his deep understanding of the potential for social cohesion offered by cultural heritage and of the essential function it has for people, making it as elementary as health and nutrition needs.

Last week in Madrid, at the donors meeting for the reconstruction of Iraq, when the international community was gathered to organize international solidarity and demonstrate its commitment of responsibility to the future of Iraq, culture was placed alongside health and infrastructure on the list of priorities for development assistance. That echoed the vibrant plea made by Iraqi authorities in that connection.

Mr. da Fonseca (Cape Verde), Vice-President, took the Chair.

UNESCO is intervening more and more often in post-conflict situations, such as in Cambodia, South-Eastern Europe and, more recently, in the Democratic Republic of the Congo, Afghanistan and Iraq, in order to enable populations devastated by conflict to recover their common cultural identity and lay the foundation for rapprochement and reconciliation, which is indispensable for building a common future.

These objectives of the Year are based on the acceptance by all of an ethic of responsibility towards our cultural heritage. Acting together to preserve the heritage of cultural diversity in its past, present and future forms and for the sake of the dialogue it enables is, in effect, an individual and community responsibility. Each one of us, each citizen of the world, inherits his or her share of the common heritage and the right to enjoy it, along with the complementary and indissociable duty to understand and to transmit it.

That is why UNESCO so strongly insists on the need for genuine heritage education that will allow all generations, and young people in particular, to understand what is truly at stake and thereby to become the active and committed defenders of cultural heritage. That is why UNESCO also insists so strongly on the need for States to ratify international instruments designed to protect cultural heritage in its universality and to adopt national regulations to protect and safeguard their historic heritage and to encourage the growth of living cultures. It is in that way that international cooperation can assume its true meaning by forming a single global network and becoming a shared responsibility for a common heritage.

The Acting President: I call on the representative of Egypt to introduce draft resolution A/58/L.11.

Mr. Aboul Gheit (Egypt) (*spoke in Arabic*): We thank the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) for his statement on UNESCO's activities during the course of the United Nations Year for Cultural Heritage last year.

I also thank UNESCO for all its efforts over the past decades to protect and preserve cultural humanitarian heritage. According to its statutes, it is entrusted with protecting, maintaining and strengthening the common heritage of mankind. Egypt still remembers with appreciation UNESCO's work in the 1960s to save the ruins in the Nile river basin in Nubia, southern Egypt. Such work represents not merely the storehouse of humankind's heritage, but also a future gift and a link in an interrupted chain of past cultural experiences — some successful, some less so — leading to today's progress and advancement. Protecting cultural heritage, however, entails not only its classification, registration and preservation in museums or on site, but also learning its eternal lessons to be transmitted to future generations, allowing humanity to march ever onward.

I should like to quote a saying that, I believe, is common to many cultures, regardless of the language they speak: "People remain alive so long as their own culture remains alive." When life is difficult and vicious or confused, when political conflicts arise out of cultural and civilizational diversity, we must return to our sources and make a clear distinction between politics and civilization. We must look within our cultural heritage to find our common roots and to move us beyond our conflicts and disputes. Every people, culture and civilization is bound by the task of further asserting the principle of the common origin and destiny of all peoples of the world.

Many countries, including Egypt, took a step in that direction by proclaiming 2002 the United Nations Year for Cultural Heritage. More than 40 countries from all the continents of the world, representing a broad range of cultures and civilizations, were involved. That demonstrates the self-evident nobility of the message and the purpose that have united representatives of those civilizations and cultures of every stamp towards the noble objective of preserving the common cultural heritage of mankind.

I have the pleasure of introducing to the General Assembly a draft resolution in document A/58/L.11,

drafted by the Egyptian delegation under the agenda item on the follow-up to the United Nations Year for Cultural Heritage. It has been prepared along lines similar to resolution 57/158. There are some minor differences, however. The operative paragraph 5, for example, refers to the resolution I have just mentioned. We have also added operative paragraph 1, in which the General Assembly takes note of the UNESCO activities undertaken during the United Nations Year for Cultural Heritage.

On behalf of the Egyptian delegation, I welcome the United States of America back to UNESCO.

The sponsors of the draft resolution are Belarus, Canada, China, Italy, Kuwait, Lebanon, Mongolia, New Zealand, the Republic of Korea, the Russian Federation, Thailand and Ukraine.

Mr. Zhang Yishan (China) (*spoke in Chinese*): At the outset, I wish to thank the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) for his statement.

As an important embodiment of civilization and a historical witness of human development, cultural heritage reflects the arduous process of mankind's development and transformation of nature. It also demonstrates the brilliant wisdom and hard work of mankind in creating and developing civilization. It constitutes an invaluable wealth passed down by our ancestors. The adequate preservation and utilization of cultural heritage are a shared responsibility of the peoples of the world and play a significant role in deepening mutual understanding among nations and increasing exchanges among different cultures and civilizations.

We were pleased when the General Assembly, in resolution 56/8, proclaimed 2002 the United Nations Year for Cultural Heritage. It was a highly important and timely resolution and undoubtedly serves as a great support and encouragement for the international community in preserving cultural heritage. We are pleased to note that Member States have come a long way in their unremitting efforts to preserve the world's cultural and natural heritage. We commend and appreciate the irreplaceable role played by UNESCO in that endeavour. I should also like to take this opportunity to express our gratitude once again to the mission of Egypt for taking the initiative two years ago.

China supports the International Convention on the Preservation of the Intangible Cultural Heritage adopted recently by UNESCO's General Conference at its thirty-second session. Intangible cultural heritage is just as much a reflection of a nation's pride in its history and cultural identity as tangible cultural heritage. The acknowledgement and preservation of intangible cultural heritage are equally important tokens of the diversity of civilizations and social progress. We appeal to the international community to take immediate action, take stock of the existing intangible cultural heritage in all countries and regions, and make a list of all those projects designed to urgently salvage heritage with salient cultural features so as to fill the gap in the preservation of intangible cultural heritage throughout the world.

China has always supported and actively participated in international cooperation in the preservation of the world's cultural and natural heritage. Since China ratified the World Heritage Convention in 1985, we have achieved globally-recognized results in our intensified efforts to raise our people's awareness of the importance of preserving cultural heritage. Twenty-nine of China's cultural and natural heritage sites have been incorporated into the World Heritage List. In July next year, the twenty-eighth session of the World Cultural Heritage Conference will be held in Suzhou, a well-known and beautiful city of China. A Chinese saying describes the beauty of Suzhou like this: "There is paradise in heaven, there is Suzhou on Earth." It is most appropriate and beneficial for Suzhou to host such a Conference. It will serve to reinforce the efforts of the international community to preserve world cultural heritage. The Conference will also prepare a long-range plan for the preservation of world heritage in the twenty-first century. The Chinese Government stands ready to work with all sides to make the Conference a success and to make new contributions to the preservation of world heritage.

Mr. McIvor (New Zealand): The United Nations Year for Cultural Heritage was a celebration of our collective cultural and natural inheritance, of our global treasures and gifts. The celebration of that heritage did not end one year ago when the General Assembly officially brought the Year to a close.

Cultural heritage is part of what defines us and it is our gift to generations to come. Cultural heritage is global; it is owned by everyone. Similarly, protecting

our cultural heritage is the responsibility of everyone at the local, national, regional and global levels.

Mount Tongariro, in the North Island of New Zealand, together with its surrounding land, became New Zealand's first national park well over 100 years ago after having been gifted to the Government of New Zealand by Te Heuheu Tukino IV the then paramount chief of Ngati Tuwharetoa in 1887. It was the first of three New Zealand sites to be inscribed on the World Heritage List. Tongariro National Park is on the List as both a natural and cultural site, owing to its largely unspoiled natural landscape and strong indigenous cultural association. New Zealanders care deeply for Tongariro and are pleased to share it through the World Heritage Convention as part of the international community's collective cultural heritage.

New Zealand is committed to protecting not only our own natural and cultural heritage, but also that of our Pacific Island neighbours. The oceans and lands of the South Pacific cover almost one third of the Earth's surface. It is a region rich in cultural heritage, of which those of us from that part of the world are naturally very proud. This is a key reason why New Zealand decided to run for a seat on the World Heritage Committee and was successfully elected by member States at the General Conference of the United Nations Educational, Scientific and Cultural Organization earlier this month. Serving on the Committee is an opportunity for New Zealand and the wider community of Pacific Island nations to have their voices heard.

The New Zealand delegation to the World Heritage Committee — led by Paramount Chief Tumu Te Heuheu, descendent of Te Heuheu Tukino IV — will work to represent our home region, including all that it offers to the world's common cultural heritage. Tumu te Heuheu will work to develop a World Heritage programme for the region and we will be able to assist the nomination of World Heritage sites in Pacific Island countries. A number of ancient and historic sites in the region need sound management to ensure that they can continue to be enjoyed sustainably by those of our own neighbourhood and for coming generations. The programme would also maintain and preserve the sites for the global community to visit.

Finally, New Zealand is acutely conscious of the responsibilities that holding a seat on the World Heritage Committee brings with it. The Committee's objective of protecting the world's outstanding and precious monuments and heritage sites is as challenging as it is important. It involves action, including through ratification of the World Heritage Convention. By doing so, we can ensure that the objectives of the United Nations Year for Cultural Heritage are upheld.

Mr. Shimamori (Japan): The United Nations Year for Cultural Heritage, 2002, served to increase public awareness and to foster respect for the cultural heritage of humanity. In making the decision to observe the Year, we reaffirmed that we should all share in the responsibility for protecting that heritage. In the course of this year, we have continued to recognize the significant role cultural heritage plays not only in providing us with opportunities to appreciate different cultural traditions, but also in enhancing people's attachment to their own national identities and in giving them — especially those living in post-conflict situations — spiritual confidence.

Having said that, I would like to share several issues to which my Government attaches importance. First, it is noteworthy that the cultural landscape and archaeological remains of the Bamiyan Valley and Ashur (Qal'at Sherqat), respectively in Afghanistan and Iraq, both in the process of post-conflict reconstruction, were simultaneously inscribed on both the World Heritage List and the List of World Heritage in Danger during the twenty-seventh session of the United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Committee, held in Paris this past July. We are encouraged by this news and hope that it will have a good effect on the peace-building efforts taking place in both countries and focus international attention on their situations.

With regard to the Bamiyan Valley, the Government of Japan decided to contribute approximately $1.8 million through the UNESCO Trust Fund for the Preservation of Cultural Heritage to help fund a project there. It will have three components: formulating a preliminary master plan for the preservation of the whole Valley; preserving the existing mural paintings in the caves; and consolidating the cliffs and niches of the rock wall where the destroyed Buddha used to be. Beginning this summer, a team of Japanese experts has twice been dispatched to the Bamiyan Valley to conduct the project, in cooperation with experts from other countries.

In Iraq, my Government has been concerned about the looting and destruction of that nation's cultural heritage and sought to take immediate action. Accordingly, Japan contributed $1 million to the UNESCO cultural heritage Trust Fund to finance projects that will rebuild the laboratory for the restoration of cultural properties of the Iraqi National Museum in Baghdad, which was badly damaged when the Museum was looted. The Government of Japan pays tribute to UNESCO, under the leadership of Director-General Koichiro Matsuura, for its quick response and the appeals it issued for assistance. Japan was honoured to join UNESCO in hosting the third meeting on the safeguarding of the Iraqi cultural heritage in Tokyo in August. We sincerely hope that the international efforts devoted to the protection of Iraqi cultural properties will be rewarded.

Let me also touch upon Cambodia as an instance in which the protection and rehabilitation of cultural heritage has played an important role in post-conflict reconstruction. Angkor, a symbol of national unity in Cambodia and a focal point of international cooperation for the restoration and preservation of historical monuments, has also become an important foothold for the social and economic development of Cambodia. We are happy to hear that the Government of France decided to host a meeting in Paris in November in commemoration of the tenth anniversary of the Intergovernmental Conference on the Safeguarding and Development of the Historic Site of Angkor, which Japan hosted in Tokyo in 1993. My Government welcomes the French initiative and stands ready to cooperate, as a co-chair of the meeting, in reviewing the process of safeguarding Angkor and discussing further efforts to be made.

The Government of Japan welcomes the adoption of the International Convention for the Safeguarding of the Intangible Cultural Heritage by the General Conference of UNESCO at its thirty-second session this month. I believe that the adoption of the Convention is the result of dedicated international efforts to preserve the world's intangible cultural heritage, which is often at risk of disappearing because of such unavoidable developments as industrialization and urbanization, but which should be regarded as the common asset of humankind. Japan adopted national legislation for the preservation of its own cultural heritage as early as 1950 and actively participated in the negotiations on the Convention. Furthermore, Japan has been financially supporting the efforts of UNESCO to preserve and promote the world's intangible cultural heritage, and I would like in this context to mention the Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity, which will be announced on 7 November in Paris. We are particularly pleased by the adoption of the Convention and hope it will help to promote the creativity of each culture as well as understanding among different cultures and civilizations.

Allow me to note here that Japan was elected as a member of the World Heritage Committee at the elections held at the fourteenth General Assembly of States Parties to the World Heritage Convention in Paris on 15 October. I would like to conclude my statement by reiterating the determination of the Government of Japan to redouble its efforts to contribute to the protection and conservation of the cultural heritage of humankind, and in so doing to follow up on the United Nations Year for Cultural Heritage.

Mr. Khanna (India): We in India thank the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) for the overview he has provided on activities undertaken during the past two years to protect cultural heritage. The proclamation of 2002 as the United Nations Year for Cultural Heritage attests to the importance which the international community has attached to this matter. There is, in our view, a continuing need to give priority to programmes, activities and projects for the protection of cultural heritage.

It has been said that cultural heritage represents the historical record and understanding of the entire spirit of a people in terms of its values, actions, works, institutions, monuments and sites. The record of our history shows that India has always been a meeting place of different cultures. The Indic civilization is a result of several cultural fusions. It encompasses the philosophic tenets of both idealism and materialism, of religion and secularism, of the quest for its own identity and a search for integrative globalization. Pluralism, tolerance and respect for all religious, linguistic and cultural manifestations define our values. The spirit of our people and their faith in the fundamental unity of all mankind is encapsulated in the Sanskrit phrase "*vasudhaiva kutumbakam*", which means "the world is one family".

We share much of this cultural heritage with rest of the world. The values of liberal and participative democracy and of the rule of law belong to all of us. The commonality in our values has allowed for the codification of international instruments on human rights. To protect our cultural heritage is to also protect our common values. We need to do so particularly from the threat posed by those who seek to impose political ideology by murdering and terrorizing innocent civilians. The forces of terrorism deny the existence of a common thread of humanity and seek to destroy the cultural heritage of peaceful coexistence.

The preservation of our values also requires the preservation of the tangible forms of our cultural heritage. We are proud in India to be the inheritors of monuments and sites that attest to the achievements of our forefathers since the early dawn of civilization. There were, until last year, 23 Indian sites on the World Heritage List. We are happy that, four months ago, another Indian site, the rock shelters of Bhimbetka, was added to this list. These five clusters of natural rock shelters display paintings that date from the mesolithic period right through to the historical period. We are committed to the preservation of these expressions of our cultural heritage and continue to take new initiatives.

In February this year, Prime Minister Vajpayee launched the National Mission for Manuscripts. It is estimated that there are over 50 million manuscripts in India. The objective of the Mission is to document and catalogue Indian manuscripts, to facilitate their conservation and preservation and to promote ready access to them through publication, both in book and electronic form. We also plan to build a national manuscripts library.

A key reason for discussing tangible cultural heritage in a multilateral setting is the need for international cooperation to assist in efforts for its preservation. To value our common humanity is to value also the various tangible expressions of cultural achievement that exist in different parts of the world. This value is expressed through a willingness to assist developing countries to build their own capacities for safeguarding their cultural heritage.

We are happy to have been able to share our know-how on conservation and preservation with others. We are proud of India's role in the restoration of Angkor Wat. During the visit of Prime Minister Vajpayee to Cambodia last April, we also agreed to participate in the restoration of Ta Prom, another magnificent temple complex in the Angkor Park area. Through this participation, we recognize our common South Asian and South-East Asian cultural heritage.

We also believe that multilateral cooperation is necessary to preserve the expression of cultural heritage that is found in traditional knowledge. A seminar on the protection of traditional knowledge was held in New Delhi last year. The conclusions of the seminar underline the need to develop an internationally agreed instrument that recognizes the protection of traditional knowledge at the national level to prevent misappropriation and to ensure that national-level benefit-sharing mechanisms and laws are respected worldwide. The conventional forms of intellectual property rights are, in our view, inadequate and need to be developed further if we are to provide protection to those manifestations of cultural heritage. We have, along with some other developing countries, made a submission in this regard to the World Trade Organization Council for Trade-Related Aspects of Intellectual Property Rights.

The consideration by the General Assembly of issues that fall within the mandates of specialized agencies and other multilateral organizations is useful. It allows us, without getting into details, to come to a common and holistic understanding of the various aspects of such issues. This debate has also allowed us to recognize the important role that UNESCO plays in the preservation of cultural heritage and we would like to use this opportunity to further encourage the agency in its efforts.

The Acting President: We have heard the last speaker in the debate on this item.

I should like to inform representatives that, at the request of the sponsors, action on draft resolution A/58/L.11 has been postponed to a later date to be announced in the *Journal*.

Agenda item 43

Return or restitution of cultural property to the countries of origin

Note by the Secretary-General transmitting the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization (A/58/314)

Mr. Vassilakis (Greece): Today, I have the honour and the pleasure to present, under agenda item 43, a draft resolution on the return or restitution of cultural property to the countries of origin.

The illicit removal of cultural property from its place of origin not only is a grave loss to the country concerned and its people, but also runs counter to all the principles that culture stands for. Cultural property taken out of context — that is to say, out of its natural environment — is stripped of its meaning and cut off from its natural, cultural and geographical background. Culture is the lifeblood of a nation; its removal rips out the nation's heart and obliterates its past.

Many factors can cause the impoverishment of a country: armed conflicts, natural disasters, famine and disease, to name but a few. However, in all these cases, impoverishment has a chance of being remedied by hard work, ingenuity and sudden wealth and, above all, if things turn out right in the future.

Unfortunately, in the case of impoverishment due to the illicit removal or destruction of cultural property, there is absolutely no way to remedy such a loss, which, besides a material aspect, also has cultural, historical and even political aspects because the people concerned — as I have already stated — are being deprived, actually stripped, of part of their past. One has only to think of the cruel destruction of the unique works of art in Afghanistan by the previous regime there to understand that such a loss will never be remedied, for those treasures can never be brought back.

It is only the restitution of cultural property, taken illicitly or through other forms from its place of origin, that will restore the damage caused. This will restore not only the damaged cultural identity and bring back the misappropriated cultural heritage, but also a sense of dignity to those who have the feeling of being deprived of their past. Therefore, it is of paramount importance that Member States continue to cooperate actively in a spirit of mutual understanding and dialogue to resolve issues of restitution of cultural property to the countries of origin. On the other hand, in many instances it is major political and other upheavals that have created the grounds for such clandestine, illicit operations. The loss, destruction and removal or illicit movement of cultural property are thriving, especially in areas facing armed conflict.

In the draft resolution, we have tried to emphasize this aspect, and in particular the latest efforts made by UNESCO and the international community for the protection of the cultural heritage of countries in conflict. Moreover, this year's draft resolution contains an overview of the relevant conventions signed by numerous Member States, such as the Convention for the Protection of Cultural Property in the Event of Armed Conflict and the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

Furthermore, it makes reference to Security Council resolution 1483 (2003) relating to the restitution of Iraqi cultural property, as well as the Declaration Concerning the Intentional Destruction of Cultural Heritage, adopted on 17 October 2003, which addresses acts aimed at destroying in whole or in part cultural heritage, including cultural heritage linked to a natural site. It is an important step for all of us who believe that cultural heritage is a common treasure of humanity.

Public awareness is once more one of the key issues of the draft resolution, which takes into account, among other parameters, the achievements of the 2002 United Nations Year for Cultural Heritage. We hope that the international community will continue to cooperate with the United Nations and UNESCO for an increased mobilization and action in favour of heritage values, including through promoting the transmission of information concerning identification systems, the creation of Member States' cultural legislation database, as well as the operation of the Fund of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation.

It goes without saying that cultural property constitutes a priceless asset for local, national and international communities alike. UNESCO has a unique responsibility as the sole United Nations agency

with the mandate of promoting the stewardship of the world's cultural resources at all levels. The responsibility for the safeguarding and return or restitution of cultural property to the countries of origin begins at the highest international level, but it also involves Governments, civil society, academic and artistic leadership and, of course, all of us who feel that we share a common cultural heritage.

I should like to express our appreciation to the Secretary-General, Mr. Kofi Annan, and to the Director-General of UNESCO, Mr. Koichiro Matsuura, for their constant and meaningful support for the issue, as shown in the relevant report transmitted to the Secretary-General (A/58/314) and in UNESCO's endeavours. I should also like to express our thanks to the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation, within the framework of UNESCO, for the recommendations adopted at its twelfth session, in Paris. Action on the draft resolution will be taken at a later stage. I believe that in the meantime, it will be met with decisive support.

Finally, we should like to express our deep appreciation and gratitude to the Member States that are co-sponsoring the draft resolution.

Mr. Kryzhanivsky (Ukraine): I have the honour to take the floor on behalf of the GUUAM States — the Republic of Azerbaijan, Georgia, the Republic of Moldova and Ukraine. At the outset, let me thank the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) for the informative report before us (A/58/314) and for UNESCO's work on the return or restitution of cultural property to the countries of origin.

The issue that we are discussing today is very sensitive and has a long history. Ancient historical texts contain evidence that, since time immemorial, the laws of war have included the right to booty. Pillaging was part and parcel of military campaigns as conquered countries were sacked for treasure while the museums of the invaders were filled with the spoils of war. But there were also examples of quite a different nature. We may recall the action taken by Scipio Africanus Minor in the second century B.C. After taking Carthage in the course of the Third Punic War, he decided to return to Sicily the wealth that had been taken from it as a result of repeated pillaging by the Carthaginians.

Politically, legally, socially and ethically, the restitution of national cultural property to the countries of origin is an extraordinary delicate problem. That is why it should be dealt with appropriately in each specific case, taking duly into account the conditions of the acquisition of a masterpiece, regardless of whether it was stolen, bought, presented as a gift, found by archaeologists or appropriated as a result of, inter alia, military operations or colonial plundering. These problems should be solved on the basis of generally recognized principles of international law and with the application of civilized moral standards. There is a growing understanding that the restitution of cultural property dispersed throughout the world is a moral obligation of humanity.

A number of the GUUAM countries have already taken steps — or are in the process of taking them — towards the return or restitution of museum pieces, archives and art objects to the countries of origin. We are encouraging such return or restoration of cultural property through the mass media and educational and cultural institutions. In our opinion, that should be accompanied by the training of key personnel and technicians and the provision of the facilities necessary for adequate conservation and preservation of such property.

Our States are deeply concerned about the illicit traffic in cultural property — particularly in situations of armed conflict — and about the damage done to such property, which continues to impoverish the cultural heritage of all peoples. That is because the network for the trafficking in cultural property is international in scope. Our countries have made a number of efforts — including legislative measures — to fight the illicit traffic in art objects. We welcome UNESCO's efforts to promote the use of identification systems — particularly the Object ID system — in order to reduce the illicit traffic in cultural property, and we stress the need to intensify assistance in that regard. We are also grateful for its provision of technical and financial support to countries whose cultural heritage is endangered.

The GUUAM countries are working with UNESCO and the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation in order to promote bilateral negotiations and the return or restitution of cultural property, the preparation of inventories of moveable

cultural property, a reduction in the illicit traffic in cultural property and the dissemination of information to the public.

In our view, new thinking should be promoted among collectors, antiquarians and other persons who deal with the circulation of cultural property. It is important that we elaborate a kind of code of conduct for such groups, together with national legislative provisions aimed at preventing the illegal trade in artworks. The United Nations Year for Cultural Heritage 2002 contributed to that end by increasing public awareness of and action to preserve heritage values. The GUUAM States are also working to strengthen national legislation aimed at protecting our own heritage.

We believe that the restitution of art objects, monuments, museum pieces, archives, manuscripts, documents and any other cultural or artistic treasures to the countries of origin contributes to the strengthening of international cooperation by preserving and promoting universal cultural values. It is in that light that all of us should approach the issue under consideration. Otherwise, we will continue to be involved in endless discussions with no substantive outcome.

Mr. Mavroyiannis (Cyprus): The report transmitted to the Secretary-General on the return or restitution of cultural property to the countries of origin (A/58/314) delivers a hopeful message that much of what needs to be done is being done, and that important efforts to protect cultural property are well on their way to bearing fruitful results. Though we note that not all the provisions and goals set by General Assembly resolutions have been implemented, we believe that the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Director-General, Mr. Matsuura, deserve to be commended for the significant progress achieved. We are gratified by both the contents of the progress report and the recommendations contained therein.

We welcome also the results of the twelfth special session of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation, held in Paris from 25 to 28 March 2003. We are encouraged by the efforts of the Intergovernmental Committee to resolve issues of highly symbolic importance, such as that of the return of the Parthenon marbles. We commend UNESCO for its efforts to promote bilateral negotiations for the return or restitution of cultural property as a matter of principle and for providing all the legal and moral arguments favouring such restitution. It is to be congratulated also for increasing public awareness of this issue and for assisting in specific cases. We note with satisfaction that since March 2001, nine more States have joined the 1970 UNESCO Convention on the Protection of the World Cultural and Natural Heritage, and five more joined the Convention on Stolen or Illegally Exported Cultural Objects drawn up by UNIDROIT, the International Institute for the Unification of Private Law. These are positive developments that reinforce the campaign against illicit trafficking of cultural property.

Existing international conventions for the protection of world cultural property must be given our full support with the goal of increasing the number of ratifications and providing technical assistance to States with acute problems of illicit trafficking in archaeological objects, as well as aiding countries in armed conflict.

Cultural treasures are the visible footprints on the path of man through history. They testify to the ways found by those who preceded us to decode infinity, and they constitute the connecting link with the vertical dimension, with the ideals of beauty and humanism, embodying spiritual values and the best of human skills. They are therefore, at any given time, at any given place, the highest combined expression of the mind and of the work of human hands.

The destruction of cultural heritage is an old scourge that needs to be eradicated collectively by the international community in close cooperation with UNESCO, as well as with other relevant United Nations bodies and multilateral institutions. The return or restitution of cultural property is not a practice that seeks to empty the museums of the world. It is a notion based on the idea that the past enshrines and creates national identity and pride, and therefore some unique objects of the past should be returned to their rightful place in their countries of origin. The return or restitution of cultural property to the country of origin contributes to the strengthening of international cooperation, on both the multilateral and bilateral level.

In this context, I wish to mention the most recent renewal of a bilateral agreement between Cyprus and

the United States on restricting imports of Byzantine, ecclesiastical and ritual ethnological materials from Cyprus unless such material is accompanied by an export permit issued by the Government of Cyprus. The recent examples of dilution of the cultural heritage in Iraq and Afghanistan and several other examples have demonstrated that looting and destruction are not merely things of the past and illustrate the need to remain vigilant. We need to take more permanent measures required in the battle against the illicit trafficking of cultural heritage items. To this end, we stress once more the great need for inventories and databases and for the promotion of the Object ID standard in order to promptly identify objects that have been stolen. We also stress the usefulness of international expertise and cooperation in drafting and circulating national cultural property legislation.

Cyprus is one of the old and rich cradles of civilization. That legacy, in combination with the anguish caused by our recent experiences, has resulted in special sensitivity on issues of protection of cultural heritage. We appreciate that the cultural heritage of every country — its monuments and works of art — embodies the intellectual presence and the power of people who created it, and that at the same time it belongs to humankind and forms part of our common heritage. Hence we feel a heavy duty to do our utmost for the protection of cultural property everywhere in the world.

In Cyprus today, the cultural heritage of its occupied north is being barbarically violated. An ancient civilization that dates back 10,000 years continues to suffer under foreign occupation, and monuments and religious treasures are left to the mercy of vandals and looters. Cyprus's painful experience of the systematic destruction of its cultural heritage and its continuing struggle to save its stolen heritage from the international black market bring to the forefront the need for firm international cooperation against illicit trafficking in art and for stronger national cultural property legislation.

We count on international efforts to protect ecumenical civilization to contribute in saving the archaeological and ecclesiastical monuments and landmarks manifesting the rich cultural and historical background of Cyprus. We hope that the considerable efforts of the international community in the direction of returning cultural objects illegally removed from their rightful owners will be extended towards the salvation of these unique structures of human civilization.

In conclusion, let me remind this body of the words of the ancient poet Euripides, who said that "The fool is the one who sacks a city, making a desert of temples, pillaging the tombs, the sanctuaries of the dead, for he prepares his own doom in times to come."

Mr. Aboul Gheit (Egypt) (*spoke in Arabic*): We stated a few minutes ago something about a very important issue — the Protection of the World Cultural and Natural Heritage. This is closely related to what we are discussing now, which is the return of Cultural Property to its countries of origin or its restitution in case of illicit appropriation. This issue is connected, more than anything else, with the right of all peoples to hold on to their roots and to preserve their cultural property. Therefore, many international conventions have affirmed this right, starting from the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict and finishing with the universal declaration in the Convention on Stolen or Illegally Exported Cultural Objects, which was adopted in 1995 and entered into force in 1998. Egypt was and still is home to one of the oldest civilizations in history, a crossroads in which many cultures and civilizations have met and overlapped, including Greek, Roman, Islamic, Coptic and pharaonic and many other cultures and civilizations. They all merged into one human family, which left an invaluable legacy of treasures, artefacts and property to the whole world. All these are milestones that show the long exhausting road travelled by ancient Egyptian culture through the ages. There is nobody more deserving of owning their culture and legacy than the sons of this ancient Egyptian culture.

But many Egyptian archaeological artefacts have been illicitly taken out of Egypt throughout the years. If it were not for the abundance of Egyptian artefacts, Egypt would have no cultural artefacts or cultural property left after centuries of organized looting, plundering and feverish smuggling and trafficking of these artefacts.

Egypt has done its utmost to retrieve its cultural property that was illicitly taken out of the country. To that end, it engages in international bilateral dialogue with countries that currently have such property. Despite some fruitful results, we are still far from the level that we need to reach. As Egypt continues to restore and retrieve its cultural property, it calls upon

all States in which there are Egyptian archaeological artefacts that were illegally taken out of Egypt to show the highest degree of cooperation in this connection. There is no doubt that this just cause is a real test of the international community's willingness to uphold legality and the rule of law.

Mr. Amer (Libya) (*spoke in Arabic*): The Libyan delegation would like to express its satisfaction with the international community's rules that protect and restore culture and cultural legacies to their original countries.

There are now many conventions and agreements that are concerned with these valuable legacies. Among these is the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage, and also, in the last decade, the Convention on Stolen or Illegally Exported Cultural Objects. This shows the increasing international awareness of this issue and the will to restore cultural property to its people as part of their history, showing the richness of their civilization.

In our assessment of what has been done to implement the provisions of General Assembly resolution 56/97, my delegation would like to congratulate those countries that have adhered to the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention since 1970 and to the International Institute for the Unification of Private Law's Convention on cultural property. We would also like to express our support for the United Nations eagerness to take stock of cultural property and determine criteria for identifying artefacts that have been stolen. We call for the expansion of awareness programmes in all parts of civil society, especially among young people.

We welcome the Secretariat's proposal to have independent experts define principles with respect to cultural property that was transferred during the Second World War. In this context, we would like to commend UNESCO for its continuous efforts to encourage bilateral negotiations aimed at returning cultural property to the countries of origin and controlling illegal traffic in cultural property. We welcome the establishment of two training workshops on the identification of artefacts.

My delegation would like to welcome the establishment of an intergovernmental fund to encourage the restoration of cultural property and would like for this fund to receive additional contributions, especially in emergency cases. I would like to commend the briefing by the Secretariat concerning spreading awareness of the activities of this fund and hope that information materials would be made available in all six official languages of the United Nations. We believe that the directives and the procedural principles of this fund will help return cultural property to the countries from which this property was taken, either as a result of occupation or colonialism or by illegal means.

My country, like many other States in the world, has been exposed to widespread plundering of its cultural legacy. The conditions imposed by the colonialists on the Libyan people opened the door for the organized plundering of Libyan culture throughout history. Those who visit museums and documentation centres in Europe and North America will see manuscripts, artefacts and handicrafts that were created by the Libyan people. This huge and vast Libyan civilization has been completely concealed and hidden by this wide-scale plunder. But some of these artefacts can still be seen in Libya.

We should mention here that, during the last two decades of the eighteenth century, hundreds of sculptures were taken from the city of Shahhat in eastern Libya. Many pottery objects and marble pieces that tell the story of this old city were smuggled out and thousands of valuable coins and precious stones were taken. According to historical sources from 1860, dozens of marble columns from the city of Leptis Magna in west Libya are now in Britain, having been used to decorate the garden of one of that country's royal palaces. The same source also affirms that a European transferred from the same city hundreds of marble columns and thousands of small artefacts. Another European is said to have actually taken from Benghazi six hundred archaeological artefacts dating from the pre-historic age, which are now found in European museums.

In document A/58/314 the Secretary-General reviews what the intergovernmental committee has done to return such pieces to their countries of origin. We call upon countries to implement the UNESCO agreement of 1970, given the importance of the measures stipulated in this agreement concerning the

prohibition of exporting, importing and transferring such cultural property in an illegal manner. The Libyan delegation believes that the real problem of those pieces that were stolen or smuggled lies in the fact that most countries that have cultural treasures that belong to others have not shown any real will, given any response or taken any measures to respond to the relevant resolutions taken by the General Assembly on this item. Libya is one of the countries that has proposed putting this issue and the importance of the restoration of cultural property to the countries of origin on the General Assembly's agenda. What is worse, most countries that have cultural property that belongs to other countries have refused to adhere to the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, which has been in effect for more than three decades. This shows the real intentions of those countries that claim that they are the leaders of modern civilization and the preservers of the cultural heritage of mankind. Their ideas are still steeped in bygone history that witnessed the plundering of the cultural legacy and property of others.

Libya has an ancient cultural history that can be traced through manuscripts, jewels, works of art and other artefacts. We hope that countries with cultural property that belongs to us will restore it to us, because such artefacts were taken as plunder, which is a crime under international law. If there is any attempt to delay the restoration of that cultural legacy or deliberately to ignore 30 years of General Assembly resolutions on this matter, we will be forced to take other measures to have that property restored to us. We cannot sit idly by while those historical artefacts — the symbols of our identity and culture — remain stolen. We insist on our right to have that property returned to us.

Mr. Hannesson (Iceland): I would like briefly to describe the positive experience of Icelanders with regard to the restitution of cultural property.

Allow me to set the scene. In the twelfth and thirteenth centuries there was a remarkable flowering of literature in Iceland. During that period a number of writers, not all of whom are known by name, wrote down the Icelandic family sagas, which tell of the settlement of Iceland and of life in northern Europe during the ninth and tenth centuries. Those writers also preserved for future generations much of the ancient lore and poetry of Viking culture, which up to that point had been passed from generation to generation by word of mouth.

It is generally recognized that those works not only are important as the fount of Nordic literature but also represent a significant strand in European art and literature. For example, many scholars look on the Icelandic family sagas as the first true novels in the European tradition. The texts of the Edda and the Volsung preserve a much older oral tradition and are the chief sources of our knowledge of ancient Germanic traditions and culture. Thus the Icelandic manuscripts are both of major significance for European culture and central to Icelandic cultural heritage.

Those ancient texts, set down on calfskin, survived in Iceland in private homes for many hundreds of years, read and re-read. However, the very fact that the manuscripts were so dispersed, together with the poverty of Icelandic society at the time, prompted a number of Icelandic, Danish and Swedish scholars in the seventeenth and eighteenth centuries to search them out and preserve them for posterity. The manuscripts were then transferred to Copenhagen — it should be remembered that at that time Iceland was under the Danish crown. The University of Copenhagen established a special manuscript institute in the eighteenth century, named after the Icelandic scholar Arni Magnusson.

When, in 1918, Iceland became a sovereign State in union with the King of Denmark, and in 1944 an independent republic, many were of the opinion that the manuscripts should be returned to Iceland. Indeed, such discussions had started during the nineteenth century with the strengthening of nationalism. The decision was not an easy one for Denmark. Nevertheless, it was decided, after complex negotiations, that the bulk of the manuscripts, including the most important, should be returned, and that process was completed in the mid-1980s. Those manuscripts which were of most significance for Iceland were to be kept at the Arni Magnusson Institute in Reykjavik, and the remainder at the sister institute in Copenhagen. It was agreed that copies of all manuscripts should be available in both places.

The generosity exhibited by Denmark in this matter has, needless to say, had a very positive and lasting impact on Danish-Icelandic relations. Contacts continue on these matters, and this summer Danish

Prime Minister Rasmussen handed over to Prime Minister David Oddsson the original constitution of Iceland of 1874 to be kept in the national archives. In return, the Danes received various documents from the period 1904 to 1918, when Iceland was under so-called home rule.

Denmark's progressive and generous approach in these matters has not been limited to Iceland. For example, a few years back, Denmark returned one of the Faroe Islands' most treasured cultural artefacts, the Kirkjubøur chair.

I offer this short saga — which has a happy ending — to illustrate that the return of cultural property, even many centuries after it was removed from its country of origin, does credit to all involved and can create a new beginning for friendly cultural relations. The return of such artefacts is a powerful expression of respect for the cultural heritage of the country of origin, as well as a vote of confidence in that country as a worthy repository of cultural artefacts that may well have much wider significance.

Mr. Zenna (Ethiopia): It gives me great pleasure to address the Assembly on behalf of the Ethiopian delegation on the issue of the return or restitution of cultural property to its country of origin.

The General Assembly has considered the issue of restitution on several occasions and adopted resolutions underlining the need for the restitution of cultural property to the countries of origin. By its resolution 56/97 of 14 December 2001, the General Assembly called upon the United Nations and relevant bodies, agencies, funds and programmes, as well as other intergovernmental organizations, to work in coordination with the United Nations Educational, Scientific and Cultural Organization and to continue to address the issue of the return or restitution of cultural property to the countries of origin and to provide appropriate support to that end. We believe that that resolution and others adopted previously contribute to the continued promotion of the issue of the return or restitution of cultural property to the countries of origin.

There can be no doubt that cultural property taken away illegally must be unconditionally and immediately returned to where they belong. However, progress in this regard remains limited, and many of the historical and cultural objects removed from many countries, in particular African countries, over a period of many years are still shelved in various museums and similar institutions throughout the world.

We are concerned that, despite the various internationally agreed commitments, resolutions and decisions and the persistent calls by the countries of origin for the restoration of their lost heritage, no practical action has been forthcoming. The majority of the countries where the objects are located have shown hardly any intention to take concrete measures to return the properties to their rightful owners.

We believe that the situation calls for genuine international cooperation, concrete and practical measures, a coordinated approach at all levels and the willingness and commitment of the bodies concerned, all of which are important elements in ensuring the effective implementation of the resolutions, decisions and relevant legal instruments.

We applaud the commendable work of the United Nations Educational, Scientific and Cultural Organization (UNESCO), especially the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation. We attach particular importance to the considerable work being done in promoting bilateral negotiations for the return or restitution of cultural property to its countries of origin and the preparation of inventories of movable cultural properties.

Ethiopia has lost close to 5,000 cultural and historical objects, in particular to Europe and North America at different times and under varying circumstances. During the 1868 British incursion into Ethiopia and the brief occupation by Fascist Italy, a great number of Ethiopia's cultural and historical objects were taken away from the country.

Through the concerted and tireless efforts of the Government and civil society organizations in Ethiopia, foreign friends of Ethiopia and Ethiopians in the diaspora, we have been able to recover some of the objects, mainly from Europe. In this connection, the return of Emperor Tewodros II's amulet, a number of arks and other treasures can be mentioned.

The restitution, though encouraging, is minimal as compared to the great number of objects still located abroad. For our part, we will continue to make the utmost efforts to recover our treasures, which are part of the living symbols of our ancient civilizations and

identity. It is our fervent hope that the countries holding those objects will cooperate with us to realize this noble and just cause. We also appeal to the wider international community to extend its support to our effort to restore our cultural and historical relics that were taken illegally from the country.

Let me say a few words about the Axum obelisk, which was taken from Ethiopia in 1937 by Mussolini's Fascist army. After decades of repeated but unfulfilled promises by successive Italian Governments in the past, bilateral negotiations with the incumbent Italian Government, with a view to returning the obelisk, have come to a promising stage. The Italian Government seems to take the matter seriously and has already started the necessary technical and administrative preparations to return the obelisk to its rightful owner, Ethiopia. This is an encouraging development and we urge the Italian Government to bring the matter to a positive conclusion as soon as possible.

We believe that the return of the Axum obelisk will lead to a new chapter of bilateral cooperation between the two Governments and help further strengthen the longstanding and friendly relations between the two countries.

The Acting President: We have heard the last speaker in the debate on this item.

The Assembly has thus concluded this stage of its consideration of agenda item 43.

The meeting rose at 5.40 p.m.

United Nations A/58/PV.52

General Assembly
Fifty-eighth session

Official Records

52nd plenary meeting
Monday, 3 November 2003, 10.30 a.m.
New York

President: The Hon. Julian R. Hunte ..... (Saint Lucia)

The meeting was called to order at 10.30 a.m.

Agenda item 23

Sport for peace and development

(a) Building a peaceful and better world through sport and the Olympic ideal

Draft resolution (A/58/L.9)

(b) International Year of Sport and Physical Education

Draft resolution (A/58/L.2)

The President: I call on Mr. Abderrahim Zouari, Minister of Sport of Tunisia, to introduce draft resolution A/58/L.2.

Mr. Zouari (Tunisia) (*spoke in Arabic*): It is my distinct pleasure once again to convey to you, Sir, Tunisia's congratulations on your election to the presidency of the General Assembly at this session, in which I wish you every success. Allow me to read out the statement of Mr. Zine El Abidine Ben Ali, President of the Republic of Tunisia, to the General Assembly on the International Year of Sport and Physical Education:

> "A few weeks ago, the international community celebrated the United Nations International Day of Peace. This was an opportunity to renew our commitment to the core principles of the United Nations Charter, including the establishment and consolidation of peace, security and development, and to the means of achieving those objectives. This is particularly true in the current sensitive international situation, which requires keeping the Organization's activities and instruments up to date.
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> "That is the context for the desired aspect of sport as an influential factor in the life of our societies, along with their political and economic aspects. To be sure, sport today is a school of life, the beneficial impact of which is not confined solely to health and physical well-being, but extends to the acquisition of values that are necessary to social cohesion, the establishment of relations, the consolidation of friendships, and the enrichment of dialogue among races, cultures and civilizations.
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> "It is also within that context that Tunisia has taken the initiative of submitting to the General Assembly the draft resolution contained in document A/58/L.2. This debate provides us with an excellent opportunity to convey our sincere thanks and appreciation to the General Assembly for having unanimously decided at the last session to include on its agenda an item related to this draft resolution. The draft is a working tool that will contribute to achieving internationally-agreed development goals, including those set forth in the Millennium

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Declaration, aimed at achieving further solidarity and cooperation and at disseminating a culture of peace.

"The objectives of the draft resolution are commensurate with Kofi Annan's decision to create a position of Special Adviser to the Secretary-General on Sport for Development and Peace. The establishment of that post reflects his personal commitment to promoting sport and physical education and his belief in their influence on and importance to the growth of young people and the life of our societies. It also confirms the increasing attention being focused by the United Nations on this area, as evidenced by the Millennium Development Goals and the guidelines of the United Nations specialized agencies, in particular the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and the United Nations Children's Fund, as well as other entities. We believe that the educational aspects of the draft resolution before us are in keeping with the goals established by the International Olympic Committee when it called for the slogan 'culture and Olympic education' to be the watchword for 2003.

"We in Tunisia have always sought to ensure that sport and physical education hold a fundamental place in our educational system, for they contribute to physical, psychological and social balance and strengthen our country's development process. We have also striven to instil sporting values and the Olympic spirit in our new generations at all educational, professional and civil levels and to base relations between our athletes and others worldwide on mutual respect and harmony in order to strengthen the bonds of mutual acquaintance, friendship and tolerance among all humankind.

"In its dedication to this approach, Tunisia is working to reify these values by adopting a comprehensive education, social and development policy that defines sport and physical education as useful training and supervisory tools in the dissemination of education, health, development and peace. This noble concept of sport has prompted us to join our efforts to those of the international community to make sport an instrument for promoting peace and development worldwide; to guarantee the right of all children and young people of all ages and in all countries to practice sport and physical education; to help them draw the best possible physical and mental health benefits from this practice; and to make sport an effective tool for promoting development and consolidating peace throughout the world, especially in the least developed countries, where basic infrastructure and sport facilities are insufficiently varied and developed.

"The noble education, ethical, social and development principles and goals reflected in the draft resolution before us strengthen our belief that it will enjoy the support of all States, reinforce the status of sport and physical education in all countries and strengthen their role in the consolidation of development and peace, thereby allowing us to give the world's youth genuine grounds for hope."

It is now my pleasure, on behalf of its 78 sponsors, to present the draft resolution entitled "Sport as a means to promote education, health, development and peace", contained in document A/58/L.2. The draft resolution was the subject of consultations and deliberations, beginning with the debate held by the United Nations Educational, Scientific and Cultural Organization (UNESCO) on 10 January 2003. A number of changes have been made to the text by several countries and regional and subregional organizations and within the United Nations system. I thank all of them and appreciate their interest in the draft resolution, which they have enriched.

In particular, I thank Mr. Adolf Ogi, Special Adviser to the Secretary-General on Sport for Development and Peace, for his efforts to promote the draft. Allow me also to express my sincere thanks and appreciation to Mr. Jacques Rogge, President of the International Olympic Committee, for his tireless efforts to support Olympic principles.

The draft resolution, in its preambular part, recalls the goals and hopes that our countries place in sport and physical education, along with a number of treaties, conventions and reports that highlight the role of sport and its educational and civilizational role, in particular the Convention on the Rights of the Child and other documents of the General Assembly on

children, the UNESCO Charter, the 2000 Dakar Framework and several other agreements.

The draft resolution calls on Governments, the United Nations and other relevant organizations to strengthen the status of sport and physical education in their development policies and to include them as a working tool to achieve development goals, solidarity and cooperation and to promote a culture of peace, dialogue, rapprochement and love among peoples. It also calls on Governments, international sport bodies and sport-related organizations to elaborate and implement partnership initiatives and development projects to help achieve the Millennium Development Goals. It further invites Governments to assist developing countries in their capacity-building efforts in sport and physical education. The draft resolution elaborates a series of procedures whereby sport and physical education can help to achieve a peaceful world and the Olympic ideal. It further stresses the need to implement international anti-doping agreements in all sporting activities.

The many positive elements of the draft resolution reflect the extreme importance of this international issue. That is why we have accorded a special place to sport and physical education in the draft, which is a keystone document that will offer new prospects and enrich partnership and cooperation for their promotion. We hope that the International Year of Sport and Physical Education and its broad range of activities will help us to achieve the goals elaborated in the draft resolution.

Tunisia has prepared a preliminary programme in this context and hopes to submit it for discussion. Its elements, including an anti-doping campaign, will help us to achieve all the hopes of the international community with respect to sustainable development. We also believe that sport and physical education could be a tool for the United Nations Environment Programme to achieve its noble goals.

Allow me also to note Tunisia's support for the initiative on the Olympic Truce. The Tunisian and Greek delegations have closely cooperated with a view to ensuring complementarity between that initiative and our draft on the basis of our conviction that sport, physical education and the Olympic principles also serve the same objectives.

In conclusion, on behalf of the Tunisian delegation and all the other co-sponsors, we express the hope that the draft resolution will enjoy the unanimous support of the General Assembly.

The President: I now call on Mr. George Papandreou, Minister for Foreign Affairs of Greece, to introduce draft resolution A/58/L.9.

Mr. Papandreou (Greece): It is a great honour for me to take the floor on agenda item 23 (a) in order to introduce the draft resolution entitled "Building a peaceful and better world through sport and the Olympic ideal".

The responsibility for this draft resolution traditionally lies with the country hosting the Olympic Games. As members know, less than a year from now Greece will have the privilege of celebrating the homecoming of the greatest peace gathering of our time. The occasion of the 2004 Athens Olympics provides a unique opportunity to rekindle the ancient Greek tradition of Olympic Truce. We want to encourage the notion that it is possible to create lasting peace from a pause in hostilities.

Promoting peace was, in fact, the actual reason why the Olympic Games were originally established. In antiquity, the implementation of the Olympic Truce entailed a cessation of all hostilities in order to allow thousands of athletes, pilgrims and spectators to travel to Olympia to attend this sacred celebration of human achievement and then return home in safety and security. The Olympic Truce was upheld for over 1,000 years, making it the longest peace treaty in history.

Bringing the Olympic Truce back to life offers a constructive new approach to conflict resolution. The United Nations, and in particular Secretary-General Kofi Annan, have long championed the value of peaceful cooperation through sport. Since 1993, this Assembly has unanimously adopted six resolutions championing the cause of the Olympic Truce. In that spirit, the Millennium Declaration, adopted in New York in September 2000 by more than 150 Heads of State and Government, included a paragraph on the promotion of peace and mutual understanding through the Olympic Truce. Today's draft resolution, like those before it, calls upon all Member States to observe the Olympic Truce. It is a symbolic call to break the cycle of violence for 16 days during the Olympics and, hopefully, beyond.

Today, that message could not be more relevant, given the current climate of global insecurity. In our

increasingly interdependent yet fractured world, violent conflicts in another part of the world can have serious repercussions in our own neighbourhood. The path to peace must be through mutual understanding, respect and cooperation between cultures, religions and civilizations. The Olympic Truce not only embodies all these values, it provides a means of putting them into practice at the global level. Truce can be a useful tool for diplomacy by providing a vital opportunity for the peaceful resolution of conflicts and the promotion of a culture of peace through dialogue and education.

Making the Olympic Truce a reality in the modern world is a challenging endeavour. To some, it may even seem like a utopian dream. These are difficult times — times of instability and injustice. We have no illusions as to what we can achieve through the Olympic Truce; it is not a universal remedy that will miraculously heal the rifts that ravage so many regions of the world, but surely, if we can stop even a single conflict, it is worth the effort. While limited in duration, the Olympic Truce can offer an invaluable opportunity for reconciliation, as well as provide respite for the suffering populations in the world's many war zones. By bringing people together across borders and beliefs, regardless of race or creed, it opens up the prospect for longer-lasting peace.

It is an honour that the President of the International Olympic Committee (IOC), Mr. Jacques Rogge, is with us today and will give us an address at a later stage in the debate. He and his predecessor, Juan Antonio Samaranch, and the IOC in its totality have continuously promoted the ideal of the Olympic Truce, becoming an inspiration for us all. Here in this Hall, I would also like to thank all the countries that have so enthusiastically embraced this initiative and expressed their support by sponsoring the draft resolution. By this morning, the number of sponsors had reached 189, but the final country, Kiribati, has signed on and we have now reached the unprecedented number, as I am told, of 190 sponsors. This means that the draft resolution is endorsed by the totality of the States Members of the United Nations.

Allow me also to thank the many personalities from around the world — 400 in all — who, in their personal capacities, have signed a special statement on promoting the Olympic Truce. Amongst them are world leaders, heads of State and Government, foreign ministers, religious leaders, leaders from the business community and, of course, leaders from the Olympic movement itself. Only yesterday and the day before, the two latest signatures came from President Lula of Brazil and President Toledo of Peru.

A few moments ago, my colleague, the Minister of Sport of Tunisia, took the floor to introduce the draft resolution entitled "Sport as a means to promote education, health, development and peace". Greece has wholeheartedly co-sponsored that draft resolution. It is vital for the international community to recognize the role sport can play in all dimensions of development.

As host of the 2004 Olympics, Greece has an acute sense of its responsibility to promote the Olympic ideals. We hope that, next summer, Athens will be a beacon of world peace. To meet that challenge, we look to all of Members for not only for support, but also for guidance. We can be educators by example, so let us reaffirm our commitment to the spirit of peaceful cooperation upon which the Olympics were founded. Let us lay the building blocks of peace one by one, with patience, perseverance and great care. Let us send a symbolic message from this international body of peace to our citizens and the younger generations of the world for a peaceful Olympics and, ultimately, for a more peaceful world. Let us prove that it is possible. For, while conflicts in the world will not cease overnight, if we could have peace for 16 days, then maybe — just maybe — we could have it forever.

Crown Prince Albert (Monaco) (*spoke in French*): The General Assembly today is jointly considering two issues that are particularly dear to my heart: "Building a peaceful and better world through sport and the Olympic ideal" and "Sport as a means to promote education, health, development and peace". The Monaco delegation is a co-sponsor of the two draft resolutions on these topics.

On 25 October 1993, at the initiative of Egypt — at that time chairing the Organization of Africa Unity — the General Assembly adopted resolution 48/11 by which it revived the ancient Greek tradition of the Olympic Truce. I call this to mind because Africa continues to offer the world many of its greatest athletes and because it can demonstrate that sport has a fundamental role to play in the service of development and peace.

I was privileged to participate as an athlete in five Winter Olympic Games. The most accomplished athletes recognize that the Olympic competition is quite distinct. In addition to striving in an exemplary

manner for one's best performance, one has the honour of representing one's country in the world's greatest peaceful, sporting and cultural gathering. In the age of the information society, the Olympic Games represent a showcase open to the entire world. The memory of Korean athletes parading under the single flag of the Korean peninsula at the Sydney Games in 2000 gives us hope for an entire nation and for all the champions of peace.

Tunisia's initiative "Sport for peace and development: International Year of Sport and Physical Education" is especially timely. Indeed, the Inter-agency Task Force on Sport for Development and Peace — mandated by the Secretary-General in 2002 to review activities involving sport within the United Nations system and to promote the more systematic and coherent use of sport in development and peace activities — released the report on its work in August. I pay tribute to the work of the Task Force, which presents sport as a human right and highlights it as a driving force for development and peace and a key element in achieving the Millennium Development Goals.

The report confirms, perhaps redundantly, that the practice of sport is essential to the development of the individual. It should be part of a health regime and a philosophy of life. The practice of sport, however, is much more than that. Sport erases social barriers by making us equal in the face of physical effort. It brings different languages and cultures into contact and brings human beings together, becoming a means of communication and exchange of such essential values as tolerance and perseverance.

Physical education should be accorded its rightful place in educational systems so as to teach boys and girls alike, at the earliest possible age, to relate to others, respect rules and value effort. Disabled athletes, through their resolve, perseverance and performance, teach us the same lesson. At the same time, we must ensure that the United Nations Convention on the Rights of the Child is applied to young athletes whose physical and psychological fragility must be duly taken into account.

The quest to go beyond oneself, in fraternity and with respect for others, is truly a school of life. The recently established International Olympic Truce Foundation and the International Olympic Truce Centre can and should contribute to disseminating those values. This formidable potential must be exploited. At a time when conflicts persist and the world is disoriented by terrorism, sporting activities can serve as a bridge between peoples, permit dialogue among diverse cultures and rekindle hope.

Sport is also the mirror of our societies. The Commission on Human Rights Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance recently denounced the rise of racist physical and verbal violence in sport. We must unite against such unacceptable attitudes, which are contrary to the spirit of sport. In that regard, the initiative of the Union of European Football Associations to distribute an anti-racism guidebook to help the football community to counter that evil should be welcomed.

Another scourge undermining the practice of sport is doping. Like narcotic drug use, doping is a gangrene that must be fought energetically and in exemplary fashion in every sporting activity. On 10 September, the Principality of Monaco signed the Council of Europe's anti-doping Convention and its additional protocol, as well as the European Convention on Spectator Violence and Misbehaviour at Sports Events. It also signed the Copenhagen Declaration on Anti-Doping in Sport, whereby the main sporting federations and almost 80 Governments approved the World Anti-Doping Code on 5 March. We fervently hope that the United Nations Educational, Scientific and Cultural Organization will be able to adopt the draft international anti-doping convention for all sporting activities before the twentieth Winter Olympic Games, to take place in Turin in 2006.

When the States Members of the United Nations, at the initiative of the International Olympic Committee, called 10 years ago for the revival of the Olympic Truce, we committed ourselves to promoting peace and dialogue. That tradition had been respected for more than 1,200 years in the ancient world. I therefore call on all combatants, whatever their underlying motives, to lay down their weapons and to work together with their enemies to find peaceful ways to end their disputes so that the twenty-eighth Olympiad, to take place in August in Athens, Greece — the cradle of the Olympic movement — can mark the rebirth of that tradition.

The almost unanimous sponsorship of the appeal for the Olympic Truce by the States represented in the

General Assembly commits us, above and beyond its symbolism, to uniting in order to not to disappoint the peoples of the United Nations.

Mr. Staehelin (Switzerland) (*spoke in French*): Allow me to begin by expressing my delegation's pleasure at seeing the issue of sport as a means to promote education, health, development and peace being debated by the General Assembly at its fifty-eighth session. My country also welcomes the fact that the draft resolution on that issue is being discussed in parallel with the draft entitled "Building a peaceful and better world through sport and the Olympic ideal".

Those two texts are complementary and in the same spirit. If Member States encouraged their citizens to take a greater part in physical activities, not only would humanity be in better physical condition, but the world would certainly be a more peaceful place. Sport actually offers an ideal means for developing discipline, self-confidence and the qualities of leadership. Sport also teaches the fundamental principles of humanity, such as tolerance, cooperation and respect.

At the initiative of Mr. Adolf Ogi, the Secretary-General's Special Adviser on Sport for Development and Peace and former President of the Swiss Confederation, who is here with us today, my country organized the Macolin Conference last February. It mobilized key partners from different sectors supporting the new notion of "sport for development" and increased public awareness of the important role that sport can play in cooperation towards development and peace. The Macolin Declaration was adopted by over 380 representatives of 55 countries.

Switzerland welcomes the Declaration as an appeal to Governments, the United Nations system, sport-related institutions, non-governmental organizations, the sporting industry, the media and public at large to encourage human, social, political and economic development through sport.

The Macolin Declaration and its recommendations have been a source of inspiration for the United Nations Inter-agency Task-Force on Sport for Development and Peace, led by Mr. Ogi and the Executive Director of the United Nations Children's Fund, Ms. Carol Bellamy. Last September, the working group presented the Secretary-General with its final report, entitled "Sport for Peace and Development: Towards Achieving the Millennium Development Goals".

The facts highlighted in the report are evident. On a global scale, physical inactivity directly accounts for 1.9 million deaths and indirectly contributes to sickness and death due to arterial hypertension, high cholesterol levels and obesity. It is estimated that every dollar spent towards physical activity could save $3.20's worth of medical expenses. Sport is a catalyst for economic development. On a global scale, the sporting industry is valued at about $36 billion, with an estimated annual increase of 3 to 5 per cent.

On the other hand, it also tells us that children aged 6 to 12 who take part in at least five hours of physical activity per week get better grades than those who take part in less than one hour per week. Studies in 126 countries show physical education's nearly universal marginalization. Why? Physical education is often considered to be a non-productive or non-intellectual activity and, consequently, not essential to education.

Sports can also contribute to breaking down social barriers and can serve as an effective tool in conflict prevention, thereby contributing to peace. Consequently, sports should be better integrated into development programmes.

The aim of the draft resolution being discussed today is to encourage Governments, sports-related organizations and non-governmental organizations to strengthen their cooperation in the areas of sports and development and also to encourage the United Nations to develop strategic partnerships with all actors in this field, including with sports associations and bodies and the private sector, in order to contribute to the implementation of sports programmes for development.

As host to the International Olympic Committee and several other world sports associations headquarters, Switzerland fully supports the idea of an international year for sport and physical education.

Mr. Zhang Yishan (China) (*spoke in Chinese*): Sport, being a common language of humankind, is an important factor in the promotion of peace and development. Since ancient times, sport has transcended racial and cultural differences and has given expression to humankind's aspiration to, and pursuit of, a peaceful and better world, as evidenced in

the Olympic spirit, which came into being more than 2,000 years ago.

Since Mr. Pierre de Coubertin founded the modern Olympic Games at the end of the 19th century, the peoples of the world have remained unshaken in their resolve to pursue the Olympic ideal. The founding of the United Nations and the establishment of the purposes and principles of the Charter of the United Nations, while contributing to the maintenance of world peace and social development, also facilitated the spread and further development of the Olympic spirit.

The Chinese delegation believes that in the twenty-first century, countries of the world should continue to uphold the purposes and principles of the Charter of the United Nations and actively advocate the Olympic spirit, so as to enhance dialogue and exchanges among civilizations and to promote steady global economic and social progress.

Sport and physical education are activities undertaken in the context of humankind's ceaseless pursuit of the Olympic ideal. Sport not only builds one's physique but also teaches communication, cooperation, respect for others and acceptance of failure. As such, it is an important medium for strengthening ties among different civilizations as well as their common values.

We support consideration of sub-item (b) of agenda item 23 entitled "International Year of Sport and Physical Education" during this session of the General Assembly and would like to thank the Permanent Mission of Tunisia for its initiative in this regard.

The Government and the people of China have always admired the purposes and principles of the Olympic spirit and supported the efforts made in the context of the Olympics to promote world peace. Even as we speak, the Chinese Government and the Chinese people are doing their utmost to prepare for the 2008 Olympics in Beijing, in hopes of making it a grand gathering that will carry forward the Olympic spirit, promote world peace and enhance friendship among peoples of the world, so that the Olympic spirit will flourish once again, this time in China, an oriental country with an ancient civilization.

The XXVIII Olympiad will be held next year in Athens, Greece. It is of great significance that the Olympic Games will be returning to their place of origin after more than 100 years. We wholeheartedly wish the Athens Olympics every success.

Finally, allow me to conclude my statement with a quotation from the address by Foreign Minister Papandreou of Greece in this year's general debate:

> "Let us reaffirm our commitment to the spirit of peaceful cooperation upon which the Olympics were founded. Let us send a symbolic message from this international body of peace for a peaceful Olympics and, ultimately, for a more peaceful world." (*A/58/PV.13, p. 28*)

Mr. Mekel (Israel): The Government of Israel is proud to lend its support to the draft resolution entitled "Building a peaceful and better world through sport and the Olympic ideal", and would like also to take this opportunity to congratulate Greece, the host country of the 2004 Olympic Games.

Israel is of the view that athletic competition, undertaken in a spirit of mutual respect, fairness and good sportsmanship, is an ideal way to foster goodwill and good relations between peoples. The values of sports are universal and transcend national boundaries; they provide a medium through which diverse peoples can interact and promote greater understanding of one another.

In our own region, we have tried to harness the power of sports to forge relationships and to build bridges across the dark waters of conflict. We hope that these types of competitions will continue to develop and expand in the future.

The Olympic Games, as the world's premier sporting event, have long been one of the primary meeting points for nations divided by politics or geography. In that respect, we support the observance of the Olympic Truce, as an expression of our common yearning for peace and reconciliation, and we hope that all Member States will join together in ensuring that peace and security prevail for the duration of the Games.

Unfortunately, for the people of Israel, the idea of the Olympic Games cannot be separated from the memory of the horrific act that tarnished the 1972 Games in Munich, when gunmen from the terrorist group Black September broke into the Olympic Village disguised as athletes and killed 11 Israeli athletes, coaches and referees.

That disgraceful act of terrorism and murder, unprecedented in the annals of Olympic history, is the very antithesis of the Olympic ideal. The Games, rather than being allowed to transcend politics and conflict, were used as a vehicle for the expression of hatred and the perpetration of murder.

That blemish on the history of the Games must not be forgotten, as we strive to ensure that future Olympic events serve to broaden understanding, deepen tolerance and respect, and promote peace. The prominence of a movement is reflected not only in its endeavours but also in its capacity to mourn those of its members who have perished for the principles it wishes to promote. It is therefore unfortunate that, still today, the International Olympic Committee has not found an appropriate manner to officially observe the memory of the fallen Israeli athletes.

Israel reaffirms its support for the noble objectives of the draft resolution and for the observance of the Olympic Truce. The Olympic Games is one of the world's only truly global events, and as such presents us with an extraordinary opportunity to focus the world's attention and utilize the good will that the Games inspire to build a more peaceful and more harmonious world.

Mr. Mavroyiannis (Cyprus): It gives me great pleasure to address the Assembly today on the issue of the Olympic Truce, that is to say, the idea that humankind can achieve a universally conflict-free environment, even for a limited period of time. The warmest congratulations must be extended to the impressive and laudable efforts made by the Foreign Minister of Greece, Mr. George Papandreou, and the President of the International Olympic Committee, Mr. Jacques Rogge, to make this endeavour a reality.

I wish very briefly to reiterate Cyprus's strong support for the concept of the Olympic Truce, which could be the prelude to a world free of hate, armed conflict and acts of aggression, as described in the comprehensive draft resolution (A/58/L.9) that has been introduced by Greece and will serve as a decisive milestone in our efforts to move in that direction.

In the same spirit, we welcome the draft resolution (A/58/L.2) submitted by Tunisia under the same agenda item, which appropriately draws attention to the intimate link between sport, peace and development. Particularly auspicious are the references to the contribution of physical education to the welfare of children and to the need to intensify efforts to combat doping on an international level and utilize sport as a means to enhance health awareness and build a culture of peace.

Sport, peace, culture, humanism and respect for universal ethical principles are indeed the quintessential ideals of Olympism. The invaluable contribution of the Olympic Games to the human spirit and to civilization has been evident since the Games were first held in 776 BC at the sacred site of Olympia in honour of the Olympian God Zeus. Cyprus is proud to have been part of the Olympic ideal since its inception, with Cypriot athletes consistently competing in the Games at Olympia.

The sacred tradition of *ekecheiria*, or Olympic Truce, was also born in the eighth century BC and lasted for twelve centuries. It was observed for 7 days before the beginning, and 7 days after the end, of the Games, in order to allow athletes, spectators and all others to safely travel to and from Olympia. The Olympic Truce was the incarnation of the lofty ideals enshrined in the Olympic Games.

I would like unreservedly to support the appeal enshrined in the Millennium Declaration to observe the Olympic Truce as a matter of tradition. In that way, each country organizing the Olympic Games in the future could make it an imperative for the Truce to be honoured in every Olympiad by introducing the present draft resolution into the General Assembly on a biennial basis before the holding of both the winter and summer Games.

While the rationale for the excellent draft resolution we have before us has to do with conflict conditions significantly different from those that prevailed in antiquity, the aspiration of humankind remains remarkably similar, namely, the termination of all acts of hostility as well as the peaceful settlement of international conflicts. What has eluded us for so long is achievable, even if briefly, and, even under hostile circumstances, what unites us can be stronger than the reasons for fighting each other. This first step can greatly contribute to the creation of an irresistible dynamic for peace and reconciliation and for the search of means other than war and violence to resolve differences. Indeed, the educational value of teaching through good example is at the very heart of the philosophy of Olympism.

As a demonstration of our inherent belief in the unifying power of all manifestations of culture, and especially sports, I would like, on behalf of my Government, to wish the very best to everyone involved in the realization of this ambitious project.

Mr. Aguilera (Cuba) (*spoke in Spanish*): My delegation is honoured to welcome the two draft resolutions (A/58/L.2 and A/58/L.9) being considered by the General Assembly at its fifty-eighth session under sub-items (a) and (b) — entitled "Building a peaceful and better world through sport and the Olympic ideal" and "International Year of Sport and Physical Education", respectively — of agenda item 23, entitled "Sport for peace and development".

To everyone's satisfaction, the draft resolution (A/58/L.9) entitled "Building a peaceful and better world through sport and the Olympic ideal", which was introduced by the representative of Greece, as the country hosting the next Olympic Games, restores the essential element removed from the previous resolution on the subject by urging all Member States to observe the Olympic Truce during the Games that will be held from 13 to 29 August 2004 and to use the Truce as an instrument to promote peace, dialogue and reconciliation during the Games and thereafter. We are pleased that 190 countries have now become sponsors of the draft resolution.

The second draft resolution (A/58/L.2), entitled "Sport as a means to promote education, health, development and peace", which was introduced by the representative of Tunisia, focuses on the importance of physical education and sport as ways of promoting peace, development and friendly relations among nations. At the same time, the draft resolution aims at accelerating the drafting of an international anti-doping convention and proclaims the year 2005 the International Year of Sport and Physical Education as a means of promoting peace and development.

My delegation reaffirms that sport and the Olympic ideal undoubtedly contribute to strengthening friendship and brotherhood among peoples, which are vital elements in the promotion of development, peace and cooperation among nations.

Cuba welcomes the fact that the 2004 Olympic Games will be held in Athens, Greece, where the Olympiad originated and where the tradition of declaring the Olympic Truce began. The delegation of Cuba trusts that those Olympic Games will follow the path of comradeship in sport in a spirit of healthy competition devoid of cheating, excessive commercialization, doping or the kidnapping of athletes. My delegation hopes that this event will mark an important step forward in the history of the international sports movement. Cuban athletes are working with rigour and dedication to prepare themselves for participation in this new Olympic cycle, in keeping with the high level that Cuban sport has achieved in recent years.

It is regrettable that some of our athletes will not be able to go to Athens for reasons having nothing to do with sport. This is true of the Cuban national archery team, which was prevented from taking part in the world championship of that discipline in New York in July of this year — a classifying competition for the great event — when visas were denied to two members of the group in outright violation of the Olympic Charter. This is not an isolated event.

I would remind you that in just under 11 months, United States visas have been denied to 39 Cuban athletes who were due to participate in various international events, including the World Cup Wrestling Championship held in Boise, Idaho in April 2003. The sporting sphere has not escaped being caught in the net of measures that make up the economic, trade and financial blockade imposed by the United States on Cuba, something that has been vigorously rejected by the international community.

Sport in Cuba is a right of the people and is free of charge. Today more than 1.5 million citizens regularly engage in sports or physical exercise under the guidance of a professional. More than 2 million children, teenagers and young students are taught physical education and sports by their teachers. For the elderly, pregnant women and other groups of citizens, physical exercise means good health, a longer life and a better quality of life.

In our country over the years, more than 30,000 people have earned a degree to teach physical education and sports. Eight thousand Cuban sports professionals and trainers have provided services in dozens of countries, whose athletes have, on occasion, then competed and won against our athletes. Moreover, the Cuban Government is helping to bolster sports in countries of the third world. Evidence of this is provided by the International School of Physical Education and Sport, whose students are young people

from more than 50 such countries and who will graduate as qualified professionals in various areas of sport.

President Fidel Castro has said,

> "Sport is well-being. It is a standard of living, it is health, it is joy and honour for the people, and is perhaps the most effective instrument to combat criminal tendencies, drugs and many other vices that beset modern societies."

In the sphere of sport, cooperation, respect and equality must prevail, and not the globalization of injustice and inequality. Given this, we shall be able to advance towards the genuine Olympic idea.

Mr. Aboul Gheit (Egypt) (*spoke in Arabic*): Mankind needs today, more than ever before, to make strenuous efforts to achieve harmony among peoples and international peace and security based on justice and equality in rights and duties.

In the context of this constant effort, we must have recourse to history to inform us and prove to us the possibility of conciliation and harmony among all peoples on Earth.

The Greeks and all other ancient civilizations, including the Egyptians, Romans and Arabs, have offered enriching contributions to our world. I mention in particular the philosophy of unifying people through an organized Olympics, under a flag whose circles symbolize peace and unity among all peoples and continents.

Today, more than ever, we need to promote the value of peace. The world is divided between opponents and supporters of wars and conflicts that affect all continents and races. The gap is increasing between the rich and the poor; diseases are devastating the poor, who have no one to help them, and civilizations and religions are not converging, but diverging. In the midst of all of this, sports will remain the single most ideal environment where barriers can be ignored and hatred among enemies can be left behind.

Every four years, the world is united during the Olympics and everyone perceives the lack of differences among people. The new generation is optimistic, owing to the spirit of tolerance that prevails during the month when the Olympic flame is visible as a symbol of the ability of man to realize peace and to defy all negativity. At that time, tears of victory mingle with feelings of defeat and everybody feels proud of the humanity that has brought them together and has deepened in them a love of life and construction and has urged them to abandon killing and destruction. Given our belief in these ideals and values and given our ancient civilization based on peace and justice, Egypt has co-sponsored the Greek draft resolution on the Olympic ideal, which embodies all the noble objectives. Egypt also supports the Tunisian draft resolution on the International Year of Sport and Physical Education. We note that these draft resolutions are in conformity with the purposes and principles of the United Nations.

We call on all peoples of the world to be inspired by the objectives of the Olympics and sports as a way to realize permanent peace, justice, equality, universal well-being and freedom from wars and conflicts that have left a legacy of feelings of deprivation and hatred.

When competition increases and records fall and countries pursue athletic glory and strive only for the symbols of the fittest, the strongest, the fastest runner and the highest jumper, eventually the value of peace becomes entrenched and continuity among peoples and generations prevails.

Mr. Ekua Avomo (Equatorial Guinea), Vice-President, took the Chair.

Mr. Gilman (United States of America): Building a peaceful and better world is the underlying principle of the United Nations Charter. Usually, the United Nations does that by considering issues related to peace and security, sustainable development, human rights and humanitarian assistance. Today, we are considering how to build a peaceful and better world through sport and the Olympic ideal.

My name is Benjamin Gilman. During my 30 years of service in the United States House of Representatives, I was able to serve as Chairman of our Committee on International Relations for some six years. I have the honour of serving on the United States delegation to the General Assembly at its fifty-eighth session from the public at large. One of the purposes of such a role — according to Eleanor Roosevelt, who established the tradition — is to bring the perspective and experience of the American public directly to the Assembly's consideration of matters that affect us all.

The United States delegation is honoured to note the presence today of the Foreign Minister of Greece, Mr. George Papandreou; the President of the International Olympic Committee (IOC), Mr. Jacques Rogge, and other members of the IOC; the President of the United States Olympic Committee, Mr. James Scherr; the Minister for Sport of Tunisia, Mr. Abderrahim Zouari; other key figures of the Olympic movement; distinguished colleagues from Member States; and other dignitaries. We are grateful for their participation in today's activities. I should also like to note that there are several Olympians in this Hall today.

As all Olympic competitors recognize, records are meant to be broken. The number of sponsors of the worthy draft resolution (A/58/L.9) before us — 191 — also breaks a record, exceeding the number of sponsors of its predecessors and indeed of any other draft resolution in the Organization's history. That is truly an Olympic feat of the first order.

Although in its modern form, the Olympic Truce initiative is only 10 years old, it revives the ancient principle honoured among States of ensuring the safe passage of all concerned to Olympia and their participation in the Games. The United States delegation has joined in sponsoring the Assembly's adoption of five previous draft resolutions in this vein: prior to the Olympic Games held at Lillehammer, Atlanta, Nagano, Sydney and Salt Lake City. My country's delegation enthusiastically joins in the consensus today, on the eve of the Athens Olympics. Athletes pledge their honour to uphold the values of fair play and honest competition. The draft resolution before us and today's consensus are fostering a similar pledge: to reinforce the scope and the power of the Olympic movement, linking athletes of the twenty-first century with those of ancient Greece.

The United States is highly pleased about the return of the Olympic Games to Athens. Since the revival of the modern Olympic Games, in Athens in 1896, the United States has hosted the Olympics on eight occasions. The Olympic ideal is realized visibly in the spirit of goodwill. For example, some 27,000 volunteers made the Salt Lake City Olympics a success. In a similar expression of goodwill, the United States looks forward to hosting the Olympic movement in the future. In the year 2012, New York City will have served as host city to the United Nations for nearly 67 years. Our hopes are high that at that time, New York City will also host the Games of the thirtieth Olympiad. Excitement is running high about its bid, and particularly about the fact that, on 19 June 2004, the Olympic torch will pass through the streets of this city and in front of United Nations Headquarters en route to Athens.

However, what precisely has been the Olympic ideal? The Olympic ideal goes beyond victories and records to fair play, friendship and, ultimately, peace. The Olympic ideal connotes international understanding among our young people through sport and culture. It goes beyond sports competition to embrace intercultural and humanitarian activities as well. The goal of Olympism is to place sports at the service of man's harmonious development everywhere, with a view to encouraging the establishment of a peaceful society that is concerned with the preservation of human dignity. It was in 1894 that Baron Pierre de Coubertin, founder of the International Olympic Committee, predicted that the new modern Olympics would eventually become both a symbol and the centrepiece of a new global era of unity among all nations. Today's reaffirmation of the Olympic Truce recommits the nations of the world to that global aspiration at the heart of the Olympic ideal.

In that spirit, the people of the United States know and daily live out the positive role that sports can play towards a peaceful and better world. We believe in the Olympic ideal, and we encourage those — the athletes, the coaches, the families and the organizations — who work daily to make it a reality. Through sports, one learns about fair play, mutual understanding, solidarity and friendship. Those are the very virtues that the United Nations strives to embody in its work and as an example to the world community.

But let us be more specific. What are the significant benefits of sports for the youth of the world? People who are involved in sports better themselves and their societies. It has been proved that young people who engage in sports are more likely to join an athletic team than to join a gang; they are more likely to stay in school; they are more likely to make responsible decisions in favour of clean lives and away from drugs and other dangers; and they are more likely to go on to higher education. The results are solid and impressive.

Sports help us to meet the human-centred development goals proposed by recent United Nations

global conferences. A symbolic reminder of that is the flying of the United Nations flag at the Olympic Games. But there are more concrete aspects. The United Nations system has worked in partnership with the IOC on many humanitarian fronts to promote, through sports, the quality of life and well-being of those living in the most disadvantaged circumstances. There are children in refugee camps, in displacement, in onerous labour conditions, in wars and other conflicts, in severe poverty and urban violence.

The IOC's International Cooperation and Development Department has initiated programmes worldwide for the world's young people. For example, they address stress in refugee camps through organized basketball tournaments. With IOC charitable assistance, war-ravaged sports facilities are rebuilt; coaching clinics teach the rules of fair play, tolerance and understanding; and equipment is provided to those who are in need. Much is done in cooperation with, inter alia, the Office of the United Nations High Commissioner for Refugees and the United Nations Development Programme.

Notably, the Olympic Solidarity Fund established by the IOC is spending over $0.2 billion between 2001 and 2004 for the development of sport scholarships for underprivileged athletes in developing countries. Today's adoption of this Greek-initiated draft resolution is a solemn moment in that it is essentially a humanitarian action.

The United Nations increasingly attests to the unifying power of sport. When the family of nations sometimes finds agreement difficult, it is nonetheless able to agree to come together in peaceful competition. For example, just two days ago on its lawn outside of this Hall, thousands of marathoners arrived for a spirited rally and friendship run to Central Park as a warm-up to Sunday's New York City Marathon, which included more than 30,000 athletes.

The Olympic Truce goes right to the heart of the philosophy of the Olympic Movement. The International Olympic Truce Foundation and its Centre, located in Athens, are the nexus for promulgating Olympism to mean more than just a medal count. I am pleased to recall that in 2001 my colleagues in the United States Senate adopted a resolution supporting the Olympic Truce with the same spirit that animates supporters of the Foundation. Through American philanthropy, a 22-foot-tall bronze statue entitled "The Olympic Truce" is being planned for presentation in Athens early next year. Since Olympism seeks to educate youth through sports and culture, that artistic gift will become an icon to that end.

Whether as athletes or spectators, when we meet at and participate in international sporting events, we share in the glow of world-class competition, whether it be in the heartbreak of losing or in the glory of winning, but most importantly, in the goodwill of participation. Sports are truly global activities that extend into the lives of all people, whether they be rich or poor, at peace or at war. International competitions, such as the Olympic Games, encourage all of our nations to set aside their differences in the spirit of fair play. They provide everyone with a venue for cultural exchange and an opportunity to share national traditions and customs. Today's draft resolution enables our General Assembly to underscore the fact that good sportsmanship promotes a worldwide culture of peace, tolerance and understanding, particularly among our young people. As Member States, we set a powerful example to the youth of the world in swearing this Olympic Truce today.

The United States would like to note its thoughts concerning the draft resolution contained in document A/58/L.2 on the International Year of Sport and Physical Education. Concerning the reference to the Millennium Development Goals, we should like to note that world leaders at the Millennium Summit, the Monterrey International Conference on Financing for Development and the Johannesburg World Summit on Sustainable Development agreed to support the internationally-agreed development goals, including those contained in the Millennium Declaration. Those internationally-agreed goals articulate a balanced partnership for development that is missing in the Millennium Development Goals.

However, while we do support Tunisia's worthy goals with reference to the proposed anti-doping convention, our nation does have some reservations with regard to references to that proposed convention. We believe that it would be far better to approach that issue with care in order not to undermine or duplicate current efforts against the abuse of drugs in sports.

As I am learning from my colleagues here today, both sports and diplomacy seek to reinforce friendship between peoples, and fair play means involving players with various interests and abilities on a level playing

field. In closing, let me note that, indeed, the Olympic ideal is a hymn to tolerance and understanding between all peoples and cultures. It is an invitation to competition, but competition with respect for others. In its ideals, Olympism is a school for democracy.

The Acting President (*spoke in Spanish*): We have heard the last speaker in the debate on this item.

The General Assembly will now take decisions on the draft resolutions contained in documents A/58/L.2 and A/58/L.9.

We turn first to draft resolution A/58/L.2, entitled "Sport as a means to promote education, health, development and peace". I am pleased to announce that the following countries have joined the list of sponsors of the draft resolution: Angola, Armenia, Austria, Bahrain, Brunei Darussalam, Burundi, Canada, the Central African Republic, Congo, Côte d'Ivoire, Croatia, Cyprus, the Democratic Republic of the Congo, Djibouti, the Dominican Republic, Equatorial Guinea, France, Guinea, the Islamic Republic of Iran, Ireland, Jordan, Kenya, Kuwait, Liberia, Liechtenstein, Luxembourg, Malaysia, Mali, Mauritius, Monaco, Mongolia, Namibia, Niger, Peru, Portugal, the Republic of Moldova, the Russian Federation, Sierra Leone, Sudan, Swaziland, Timor-Leste and Togo.

May I take it that the Assembly decides to adopt draft resolution A/58/L.2?

Draft resolution A/58/L.2 was adopted (resolution 58/5).

The Acting President (*spoke in Spanish*): We turn now to draft resolution A/58/L.9, entitled "Building a peaceful and better world through sport and the Olympic ideal".

May I take it that the Assembly decides to adopt draft resolution A/58/L.9?

Draft resolution A/58/L.9 was adopted (resolution 58/6).

The Acting President (*spoke in Spanish*): May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (b) of agenda item 23?

It was so decided.

The Acting President (*spoke in Spanish*): We have thus concluded this stage of our consideration of sub-item (a) of agenda item 23.

Agenda item 14

Report of the International Atomic Energy Agency

Note by the Secretary-General transmitting the report of the International Atomic Energy Agency (A/58/312)

Draft resolution (A/58/L.10)

The Acting President (*spoke in Spanish*): I now call on Mr. Mohamed ElBaradei, Director General of the International Atomic Energy Agency, to introduce the report of the Agency for the year 2002.

Mr. ElBaradei: The past year has been a time of significant challenges and achievements for the International Atomic Energy Agency (IAEA). In the area of nuclear non-proliferation, the Agency has been at the centre of attention and has demonstrated its ability to perform objective and credible verification, but we continue to face a number of difficult and unresolved situations. In the area of nuclear safety and security, our work is making a difference and we see overall improvement, but much remains to be done. In the nuclear technology field, the Agency is contributing to sustainable development through its technical cooperation programme, with the benefits of nuclear applications increasingly recognized. And, while nuclear power continues to hold great potential as an environmentally clean source of energy, it remains in a holding position due to a number of associated concerns. Today is an opportunity for me to review in more detail some of the Agency's activities in each of these areas.

In the field of nuclear power, the urgent need for sustained human development will clearly necessitate increases in the supply of energy in the coming decades. In recent years, nuclear power has supplied about 16 per cent of world electricity production and it remains the only energy source that can provide electricity on a large scale with comparatively minimal impact on the environment.

Of the 33 power reactors currently under construction, 20 are in Asia. In other regions, the more immediate focus is on power upgrades, restarts of

previously shutdown reactors and license extensions. For example, in the United States of America, 16 reactors have had their operating licenses extended to 60 years and many more applications are under review.

The long-term prospects for nuclear power, however, will depend on the industry's success in addressing concerns associated with waste disposal, proliferation, safety and security, while also improving the economic competitiveness of future reactors. Nearly 20 IAEA member States are currently involved in projects to develop reactor and fuel cycle designs that would address some of these concerns, and a number of countries are also exploring the nuclear co-generation of hydrogen to address demands for cleaner energy in the transportation sector.

Under the technical cooperation programmes of the IAEA, nuclear applications are gaining increasing importance as tools for social and economic development.

In the field of human health, the number of new cancer cases per year in the developing world is expected to double to 10 million by 2015 as life expectancy increases and lifestyles change. However, most developing countries do not have sufficient numbers of health professionals or radiotherapy machines to treat their cancer patients effectively. Indeed, some 15 African nations and several countries in Asia lack even one radiation therapy machine. The Agency has been working with key partners, such as the World Health Organization, to provide training, expert missions and equipment to support national and regional radiotherapy programmes, as well as projects in nuclear medicine, nutrition studies and many other health-related areas. A highly visible result of Agency support across Africa has been an increase of approximately 35 per cent over the past five years in the number of cancer patients receiving treatment in participating countries of the African Regional Cooperative Agreement — an increase of approximately 6,500 patients per year.

In the field water resources management, more than one sixth of the world's population lives in areas without adequate access to safe drinking water, a situation that is expected to worsen significantly unless the international community takes prompt and effective action. Isotope hydrology is being used in more than 80 Agency projects to map underground aquifers, manage surface water and groundwater, detect and control pollution, and monitor dam leakage and safety. For example, an ongoing regional isotope hydrology project in Latin America has brought together more than 30 water institutes to address water shortages, with the successful completion of conceptual models for a total of seven aquifers in Chile, Colombia, Costa Rica, Ecuador and Peru.

For many years, the Agency has been working with Member States on mutation breeding of major food crops that yield very well in different ecological conditions. One example is the improvement in rice varieties in the Asia and Pacific region. In a harvesting ceremony in August, the Indonesian Government gave recognition to the positive and sustained economic impact of a variety of rice with higher yield and better quality, produced using gamma rays, which has successfully been introduced in 20 Indonesian provinces. We anticipate the release of at least seven new varieties of rice in the region during the next three to five years.

The Agency's technical cooperation programme provides about $80 million of assistance per year and continues to be a principal mechanism for implementing the Agency's basic mission: "Atoms for peace". The Secretariat continues to work on measures to ensure that technical cooperation projects such as those I have just mentioned achieve lasting and concrete benefits to recipient member States. Efforts are proceeding to improve the planning of national technical cooperation strategies through early and direct dialogue with member States, to ensure strong Government commitment and to focus on fewer but higher quality projects. We have expanded our monitoring of the impact of technical cooperation projects in order to increase project quality, relevance, effectiveness and sustainability, and we continue to build and expand partnerships with other international organizations and development partners with a view towards leveraging the Agency's limited resources, attracting greater attention to the benefits of nuclear technologies, and, in some cases, drawing on the technical expertise of other organizations to enhance the impact of a nuclear technique.

The safety and security of nuclear activities around the globe remain a key factor for the future of nuclear technology. It is gratifying to note that nuclear safety continues to improve at nuclear power plants worldwide, that more countries are raising their standards of performance in radiation protection and

that significant steps have been taken in the past two years to improve nuclear security.

One area that still needs improvement involves learning from past experience. When events occur at nuclear facilities, it is essential that such operating experiences — the lessons learned — be properly communicated to other relevant nuclear facilities and, as applicable, be incorporated into their operational practices. This remains an area of current focus.

The development and adoption of legally-binding norms has proven to be a powerful mechanism for enhancing safety worldwide. The Conventions on Early Notification of a Nuclear Accident and Assistance in the Case of a Nuclear Accident or Radiological Emergency continue to serve as mechanisms for Agency response missions to States parties during emergencies. The Agency is increasing its involvement in the Convention on Nuclear Safety by reporting, as requested, on the trends and issues observed during our various safety missions, and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management has now been in force for over two years. However, many States are not yet party to these conventions and certain key areas of the nuclear fuel cycle are still not subject to conventions.

One convention that has gained increased attention recently is the 1979 Convention on the Physical Protection of Nuclear Material. In the past two years, 20 additional States have become parties to the Convention, reflecting the importance of the international nuclear security regime. States are now working on a much-needed amendment to broaden the scope of the Convention, that I hope will be adopted soon.

I am also pleased to report good progress in the continuing revision and updating of international nuclear safety standards. Upgrades to all existing Agency standards should be completed by late next year. Over the next three to four years, we hope to fill in the remaining gaps in coverage — such as safety standards on geological waste repositories — and to implement a more coherent structure for the body of IAEA standards. Those standards should be accepted and implemented worldwide as the global reference for nuclear and radiation safety.

The Agency's safety review and appraisal services assist member States in the application of IAEA safety standards and provide useful feedback on their effectiveness. These services originated predominantly in the field of nuclear installation safety, but now extend to cover many areas of radiation, radioactive waste and transport safety as well. I should note that, in particular, safety services and assistance to countries of Central and Eastern Europe operating power reactors have been at the centre of the technical cooperation programmes of those countries for the past decade, resulting in a broad and significant positive impact on the operational safety of those facilities. Demand for Agency services continues to be very strong. The Agency's annual report for 2002 lists more than 60 safety missions of various types to 29 States. Collectively, the results of the services constitute a substantial body of safety experience from around the world.

Agency efforts to help member States improve their protection against nuclear and radiological terrorism are continuing at an exceptionally fast pace on multiple fronts. Since September 2001, working in Europe, Asia, Latin America and Africa, we have conducted nearly 40 advisory and evaluation missions and convened more than 50 training courses, workshops and seminars. The IAEA also has strengthened its cooperation on nuclear security issues with other international organizations, including the United Nations and its specialized agencies, Interpol, Europol, the Universal Postal Union and the European Commission.

Despite the increased attention given to the security of radioactive sources since 11 September 2001, some deficiencies remain. Information in the Agency's database of illicit trafficking, combined with reports of discoveries of plans for radiological dispersal devices — so-called dirty bombs — make it clear that a market continues to exist for obtaining and using radioactive sources for malevolent purposes. Agency evaluation missions have been held throughout Eastern Europe, Africa and Central America to assess member States' capabilities to detect nuclear and other radioactive material at their borders and to help them respond to illicit trafficking. In the past year, IAEA missions to a number of States have assisted in the recovery, characterization and securing of radioactive sources seized in trafficking incidents. The Agency will continue its efforts to improve source safety and security.

Events of the past year have placed the nuclear non-proliferation regime under stress on multiple fronts and have made it clear that concrete steps to strengthen the regime are urgently required. The Agency's role as an independent, objective verification body remains central to the effectiveness of the regime.

The IAEA's verification activities are designed to provide assurance that nuclear material and facilities are used exclusively for peaceful purposes. In the early 1990s, after the discovery of the clandestine nuclear-weapons programme in Iraq, the international community committed itself to providing the Agency with the authority to strengthen its verification capability — specifically, its ability to provide assurance not only that declared nuclear material has not been diverted for non-peaceful purposes, but, equally important, that no undeclared nuclear material or activities exist.

This broader authority, however, is still far from universal. Regrettably, 46 States have yet to fulfil their legal obligations under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) to bring safeguards agreements with the Agency into force and, more than six years after the IAEA Board's approval of the Model Additional Protocol, over 150 countries still do not have an additional protocol in force. I strongly urge all States that have not done so to conclude and bring into force the required safeguards agreements and additional protocols at an early date. As I have repeatedly stated, if the Agency is to provide the required assurances, it must have the required authority.

The situation in the Democratic People's Republic of Korea continues to pose a serious and immediate challenge to the nuclear non-proliferation regime. Since December 2002, the Agency has not performed any verification activities in the Democratic People's Republic of Korea and cannot therefore provide any level of assurance about the non-diversion of nuclear material. We have continued to emphasize the need for a comprehensive settlement of the Korean crisis through dialogue, and it is my hope that the six-party talks will lead to such a settlement. I trust that any future settlement will ensure, inter alia, the return of the Democratic People's Republic of Korea to the nuclear non-proliferation regime and that the Agency will be given the necessary authority and resources to be able to fulfil its responsibilities under the NPT in a credible manner.

After an interruption of nearly four years, last November the Agency resumed verification activities in Iraq under the mandate provided by Security Council resolution 687 (1991) and related resolutions. Between November 2002 and March 2003, the Agency sought to determine what, if anything, had changed in Iraq over the previous four years relevant to Iraq's nuclear activities and capabilities. At the time the Agency ceased its Security Council verification activities in Iraq, we had found no evidence of the revival of nuclear activities prohibited under relevant Security Council resolutions. However, considering our four-year absence, the time available for the renewed inspections was not sufficient for the Agency to complete its overall review and assessment.

The Agency's mandate in Iraq under various Security Council resolutions still stands. In May, the Security Council adopted resolution 1483 (2003) in which, inter alia, it expressed its intention to revisit the mandates of the IAEA and the United Nations Monitoring, Verification and Inspection Commission. We are awaiting the results of that review and further guidance from the Council. Given the situation in Iraq, I believe it would be prudent for the United Nations and IAEA inspectors to return to Iraq, to bring the weapons file to a closure and, through implementation of a Security Council-approved plan for long-term monitoring, to provide ongoing assurance that activities related to weapons of mass destruction have not been resumed. In the meantime, I trust that the Agency will be kept informed of the outcome of any current inspection activities in Iraq relevant to our mandate, pursuant to Security Council resolution 1441 (2002).

Pursuant to the mandate given to me by the IAEA General Conference, I have continued to consult with the States of the Middle East region on the application of full-scope safeguards to all nuclear activities in the Middle East and on the development of model agreements relevant to the establishment of a nuclear-weapon-free-zone in the region. I regret to report that, due to the prevailing situation in the region, I have not been in a position to make any progress on the implementation of this important mandate, which is of direct relevance to non-proliferation and security in the Middle East. With the active cooperation of all concerned, I hope to move this mandate forward in the coming year. It is essential, in my view, that a comprehensive settlement in the Middle East be

accompanied by a regional security structure that includes the establishment of the Middle East as a zone free from weapons of mass destruction. In my view, a durable peace will not be attained without an adequate security structure, which in turn is difficult to achieve without a peaceful settlement. The two must go hand in hand.

The Board of Governors this year has given considerable attention to the implementation of the NPT safeguards agreement in the Islamic Republic of Iran. In September, the Board adopted a resolution urging Iran to show proactive and accelerated cooperation and to demonstrate full transparency by providing the Agency with a declaration of all its nuclear activities. The Board made clear that it was essential and urgent for all outstanding issues to be brought to closure as soon as possible in order to enable the Agency to provide the required assurances.

Recently, we have received what the Iranian authorities have said is a full and accurate declaration of Iran's past and current nuclear activities and are in the process of verifying that declaration. Iran has also expressed its intention to conclude an additional protocol to its safeguards agreement, which is key to our ability to provide comprehensive assurances. I will report to the IAEA Board later this month on the status of our implementation of safeguards in Iran.

Looking forward, it is clear that the Agency must have the required authority, information and resources to be able to provide the international community with the credible non-proliferation assurances required under the NPT. In that context, the international community must work hard to achieve the universality of the regime. We must also be more assertive in resolving the root causes of global insecurity — such as long-standing regional conflicts and other causes of instability — which provide incentives for the proliferation of nuclear weapons and other weapons of mass destruction. And we must work together to develop and establish a system of collective security that does not depend on nuclear weapons and accelerate the process of nuclear disarmament.

Recent events have made it clear that the non-proliferation regime is under growing stress. The current world situation is different in many respects from that of the late 1960s, when the NPT was being negotiated. A key difference is that information and expertise on how to produce nuclear weapons has become much more accessible. This places extra emphasis on the importance of controlling access to weapon-usable nuclear material.

In light of the increasing threat of proliferation, both by States and by terrorists, one idea that may now be worth serious consideration is the advisability of limiting the processing of weapon-usable material — that is, separated plutonium and high enriched uranium — in civilian nuclear programmes, as well as the production of new material through reprocessing and enrichment, by agreeing to restrict those operations exclusively to facilities under multinational control. Such limitations would naturally need to be accompanied by appropriate rules of assurance of supply for would-be users.

We should equally consider multinational approaches to the management and disposal of spent fuel and radioactive waste. Over 50 countries currently have spent fuel stored in temporary locations, awaiting reprocessing or disposal. Not all countries have the appropriate geological conditions for such disposal and, for many countries with small nuclear programmes, the financial and human resources required for the construction and operation of a geological disposal facility are simply daunting. Taken together, these proposals, in my view, would provide enhanced assurance to the international community that the sensitive portions of civilian nuclear fuel-cycle programmes are not vulnerable to misuse.

The Agency continues to play a key role in ensuring that the benefits of nuclear technology are shared globally for economic and social development, that nuclear activities are conducted safely, that nuclear and radioactive materials and facilities are adequately protected, and that a credible inspection regime exists to verify compliance with non-proliferation commitments.

This year marks the fiftieth anniversary of the "Atoms for peace" speech delivered before this body by President Eisenhower, in which he articulated a vision, shared by many world leaders, that would enable humanity to make full use of the benefits of nuclear energy while minimizing its risk. That vision led to the establishment of the International Atomic Energy Agency. Much has changed since that time and I believe it is appropriate for us to take stock of our successes and failures and to resolve to pursue whatever actions are required, including new ways of

thinking and unconventional approaches, to ensure that nuclear energy remains a source of hope and prosperity and not a tool for self-destruction.

Let me conclude by expressing my continuing gratitude to the Government of Austria, which has now served for over four decades as a most gracious and welcoming host to the IAEA.

The Acting President (*spoke in Spanish*): I call on the representative of Spain to introduce draft resolution A/58/L.10.

Mr. Nuñez García-Saúco (Spain) (*spoke in Spanish*): As the representative of Spain and Chairman of the Board of Governors of the International Atomic Energy Agency (IAEA), I am honoured to introduce draft resolution A/58/L.10 on the annual report of the IAEA. The following countries, along with Spain, are sponsors of the text: Argentina, Australia, Austria, Belgium, Canada, Chile, Colombia, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, Egypt, Estonia, Finland, France, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Jordan, Kuwait, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Paraguay, Peru, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, Serbia and Montenegro, Sierra Leone, Slovenia, South Africa, Sweden, Switzerland, Turkey, Uganda, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

Since the document was first circulated, the following have joined the list of sponsors: Albania, Andorra, Angola, Armenia, Belarus, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, the Central African Republic, Costa Rica, Guatemala, India, Kazakhstan, Kenya, Mauritius, Mexico, Monaco, New Zealand, Pakistan, the Philippines, the Republic of Moldova, Slovakia, Thailand, the Former Yugoslav Republic of Macedonia, Ukraine, Uruguay and Venezuela. I hope that the new sponsors can be incorporated into the list before we adopt the draft resolution.

I wish to thank the Director General of the IAEA, Mr. ElBaradei, for the statement he has just made, which supplements the information contained in the annual report. All of this highlights the scope and importance of the results achieved by the Agency over the past year.

The draft resolution before the General Assembly this year incorporates a significant change in format from that of earlier years. The change is due to an attempt to further rationalize our work and that of our colleagues in Vienna, while preserving the essence of the message which the General Assembly's adoption of the draft resolution sends to the international community.

We are all aware that, since 1990, the year in which the General Assembly adopted the last of the so-called procedural resolutions on the IAEA, the length of such resolutions has undergone rapid and unnecessary growth. The expansion reflected the understandable concern of some Members to highlight in the resolution those aspects of the Agency's work that were of the greatest importance to them. The greater length of the text was inevitably accompanied by a lengthier and more difficult drafting process, frequently including the discussion of issues that had already been negotiated and decided upon at the IAEA General Conference.

Given those developments, and so as to enhance the efficiency of our efforts, we have decided this year to introduce a draft resolution that strikes a middle ground between the procedural resolutions of the past and the substantive appeal of recent years. By comparison with last year, we shall have a markedly shorter resolution — perhaps well less than half as long — which nonetheless retains the essential of the substance.

In any event, the draft resolution and the annual report together provide sufficient information to give an overall picture of the recent work of the Agency and to give a detailed account of activities in areas of specific interest. So as to focus the attention of the Assembly on the most significant activities of the Agency, the draft resolution does not refer to resolutions and decisions adopted at the most recent IAEA General Conference related to budgetary or procedural issues. This means that, of the 22 resolutions and 5 decisions adopted, only 14 substantive resolutions and 3 substantive decisions are mentioned. By paragraph 2 of the draft resolution, the General Assembly would take note of each of those resolutions and decisions, which, with the exceptions that I shall describe shortly, relate to one of the three pillars of the Agency's activities: nuclear safety, technology transfer and verification of peaceful use.

Specifically, in the area of nuclear safety, which includes protection from nuclear terrorism, four IAEA resolutions were adopted: a resolution on cooperation in radiological material, transport and waste management (GC(47)/RES/7A); a resolution on the code of conduct on radioactive sources (GC(47)/RES/7B); a resolution on transport safety (GC(47)/RES/7C); and a resolution on progress on measures to protect against nuclear and radiological terrorism (GC(47)/RES/8).

In the area of technology transfer, six resolutions were adopted: on strengthening of the Agency's technical cooperation activities (GC(47)/RES/9); on strengthening the Agency's activities related to nuclear science, technology and applications (GC(47)/RES/10A); on nuclear knowledge (GC(47)/RES/10B); on the development of innovative nuclear technology (GC(47)/RES/10C); on the use of isotope hydrology for water resources management (GC(47)/RES/10D); and on a plan for producing potable water economically using small and medium-sized nuclear reactors (GC(47)/RES/10E).

In the area of verification, three resolutions were adopted: on strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol (GC(47)/RES/11); on the implementation of the Agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Non-Proliferation Treaty (GC(47)/RES/12); and on the application of Agency safeguards in the Middle East (GC(47)/RES/13).

Additionally, there were two presidential statements: one on the implementation of United Nations Security Council resolutions relating to Iraq (GC(47)/DEC/12); and another on Israeli nuclear capabilities and threat (GC(47)/DEC/13).

As I indicated earlier, the draft resolution that we are introducing before the General Assembly also mentions two resolutions and a decision that are not substantive in nature, but which refer to topical issues: resolutions GC(47)/RES/14A and B on staffing of the Agency's secretariat and on women in the secretariat, respectively, as well as the General Conference decision amending article VI of the Agency's statute (GC(47)/DEC/14).

As a final comment, I would like to note that all the resolutions and decisions adopted at the most recent General Conference were a result of the constructive climate of dialogue that prevails in IAEA, and were adopted by consensus.

It only remains for me to thank Member States for the broad support that this new approach and particularly the text of draft resolution A/58/L.10 have received over the course of the informal consultations that I chaired in Vienna, which resulted in broad and solid consensus. The consultations I have been holding over the past week in New York have also revealed widespread support for the initiative. At the time, I asked States present in the consultations not to reopen issues already negotiated and agreed upon in Vienna. At this stage, I would like to repeat that appeal to all States, and to express my confidence that draft resolution A/58/L.10 will be adopted by a broad majority and, if possible, by consensus.

Mr. Trezza (Italy): I have the honour to speak on behalf of the European Union (EU). The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the associated countries Bulgaria, Romania and Turkey and the European Free Trade Association countries that are members of the European Economic Area Iceland and Norway align themselves with this statement.

First of all, I would like to thank Mr. Mohamed ElBaradei, Director General of the International Atomic Energy Agency (IAEA), for his statement on the Agency's 2002 report and for providing the General Assembly with additional information on the main developments in IAEA activities during 2003. The European Union commends the secretariat of the IAEA and its Director General for the excellent work done by the Agency and for the importance of the results achieved last year.

The States members of the European Union, which were among the most active participants in the forty-seventh IAEA General Conference, held in Vienna from 15 to 19 September 2003, welcome the outcome of the Conference and the 15 resolutions and 5 decisions that were adopted there.

The European Union member States and acceding countries are all sponsoring the draft resolution on the report of the International Atomic Energy Agency (A/58/L.10) and fully support its content. They also

wish to thank the Chairman of the Board of Governors of the IAEA, Ambassador Núñez García-Saúco, for his presentation. The draft resolution reflects broad agreement among IAEA member States and is the result of intense consultations in Vienna. We commend the Chairman of the IAEA Board of Governors for his efforts and hope that the present draft resolution will be adopted by consensus.

At the European Council held in Thessaloniki in June this year, the heads of State or Government of the EU reiterated their commitment to counter the proliferation of weapons of mass destruction, and to the objective of deterring, halting and, where possible, reversing the expansion of proliferation programmes worldwide. The European Union believes that a nuclear non-proliferation regime of universal character, supported by a strong system of international safeguards, is an essential prerequisite for collective security. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is the cornerstone of this global non-proliferation regime, and the IAEA safeguards system is its essential international instrument. The Union is fully committed to the NPT and will continue its efforts to maintain the authority and integrity of the Treaty.

The universal adoption and implementation of safeguards agreements and additional protocols to them is definitely the key to an effective and credible safeguards system. The EU considers that the IAEA comprehensive safeguards, including the additional protocols, constitute the verification standard. The measures contained in the additional protocols are especially crucial to strengthening the IAEA's ability to detect possible undeclared nuclear material and activities and to provide assurances about the absence of such activities.

The European Union wishes to recall its concern regarding the continued existence of unsafeguarded nuclear facilities and material in States not parties to the NPT. The EU calls upon those States to accede to the NPT as non-nuclear-weapon States and to place all their nuclear activities under IAEA safeguards.

The fight against terrorism and the proliferation of weapons of mass destruction represents a challenge of paramount importance for the international community. The European Union member States strongly support all measures aimed at preventing terrorists from acquiring nuclear weapons. While the primary responsibility for the necessary nuclear security rests with member States, the Agency clearly has an essential role to play in combating nuclear terror. After 11 September 2001, the IAEA moved rapidly to reorient and reinforce its activities relevant to protections against nuclear terrorism. We support the work of the IAEA in this field and we welcome contributions provided by member countries to the Nuclear Security Fund.

The IAEA General Conference approved its programme and budget for 2004-2005. The European Union is well aware of the difficult context in which the Agency has to finance its statutory obligations under its regular budget. It was in fact mainly due to the unavoidable and exceptional future needs of the IAEA's verification activities that the EU member countries were able to accept the compromise package that led to the substantial increase in the budget for 2004-2005.

The European Union fully supports the IAEA Director General in his continued efforts to improve the effectiveness of the Agency. A results-based approach to budgeting requires strong management and a clear definition of cross-cutting activities. Enhanced cooperation and coordination between departments should be encouraged, leading to greater synergy and the better use of resources — human as well as financial.

Nuclear safety is an ongoing concern of the international community, and its continuous improvement is the goal of all IAEA member States. The responsibilities of the States engaged in nuclear activity with respect to their own population, their neighbours and the international community cannot be overemphasized. The European Union member States and acceding countries closely cooperate to maintain a high level of nuclear safety in the Union, including during the decommissioning of nuclear installations and the management of radioactive wastes.

Technical cooperation, together with international safeguards and nuclear safety, are the three pillars of the Agency's activities. The European Union has always played an instrumental role in the IAEA's technical cooperation and development. The level of voluntary contributions provided by EU member States to the Technical Cooperation Fund in 2003 will, in fact, amount to well over 35 per cent of total contributions.

The European Union supported the decision reached at the General Conference on technical cooperation funding for the near future. On this matter, the Union wishes to underline that the funds must be used in the most cost-effective, efficient and transparent way.

The IAEA's indispensable role as the competent authority for the verification of compliance with the safeguards agreements covering the non-proliferation of nuclear weapons has proved to be worthy of the international community's trust. The Agency also plays an essential role in promoting the safe usage of nuclear technology for peaceful applications in those member States which use that technology. Finally, the IAEA, through its technical cooperation programmes, contributes to the achievement of tangible social and economic benefits and to the scientific advancement of member States.

The most recent European Council meeting reiterated its grave concern about Iran's nuclear programme and gave its full support to the IAEA Board of Governors' resolution of 12 September. The European Union expects Iran to cooperate fully with the IAEA in its implementation and welcomes the result of the talks held in Tehran on 21 October, according to which Iran will sign and continue to apply the Additional Protocol, allowing unrestricted access to inspectors and voluntarily suspend all uranium enrichment and reprocessing activities. The EU believes that the full implementation of Iran's decisions will open the way to dialogue on the basis of longer-term cooperation, which will provide all parties with satisfactory assurances relating to Iran's nuclear-power-generation programme. The full resolution of international concerns would create conditions for developing cooperation with Iran in a range of areas.

The European Union is alarmed about the fact that it has still not been possible for the IAEA to verify the degree of completeness and correctness of the initial report by the Democratic People's Republic of Korea of its nuclear materials. The European Union commends the Agency for its efforts since last September, and supports efforts by the Director General to seek dialogue with the Democratic People's Republic of Korea in order to find a solution for the implementation of safeguards. Furthermore, since December 2002 the IAEA has been unable to confirm the non-diversion of nuclear material to non-peaceful uses. The EU notes that the IAEA Board of Governors has reported to the Security Council on further non-compliance by the Democratic People's Republic of Korea with its safeguards agreement.

The European Union supports the continuation of the dialogue among all interested parties. For that reason it welcomes the two meetings held in Beijing with a view to finding a possible negotiated solution to the question, and encourages all the parties involved in those meetings to pursue negotiations actively and in good faith. We strongly urge the Democratic People's Republic of Korea to come unconditionally into full compliance with all of its relevant international commitments, in particular its IAEA safeguards agreement under the NPT.

The European Union commends the work done by the IAEA in Iraq since last year's General Conference. The EU supports all efforts made by the IAEA to continue to verify the nuclear material in Iraq, and welcomes the IAEA's mission, which focused on verification of the material subject to safeguards in Tuwaitha, where looting had reportedly taken place. Although the Agency's mandate in Iraq under various Security Council resolutions still stands, the Council stated in resolution 1483 (2003) that it will revisit that mandate. The EU looks forward to such a review. Nonetheless, the Union wishes to recall that, irrespective of the mandate under Security Council resolutions, the Agency has the continuing obligation, under Iraq's NPT safeguards agreement, to ensure the non-diversion of nuclear material declared and placed under its safeguards in Iraq.

The European Union and the acceding countries reiterate their full support for the Agency and their commitment to the full realization of its statutory functions and renew the appeal for the prompt and unanimous adoption of the draft resolution under consideration.

Mr. De Rivero (Peru) (*spoke in Spanish*): The report of the International Atomic Energy Agency (IAEA) tells us that the greatest challenges currently facing the Agency relate to strengthening safeguards and ensuring the effectiveness of the non-proliferation regime. We are therefore concerned about the fact that the report also states that progress in establishing a safeguards system is continuing to be discouragingly slow, in particular as concerns the number of States with additional protocols in force. The situation is compounded by the nuclear situation on the Korean

peninsula, which can jeopardize international stability. We hope that the diplomatic consultations under way can turn that dangerous situation around. In light of the lack of progress on the safeguards issue, we appeal once again to all States to sign and implement comprehensive safeguards agreements and additional protocols and to comply strictly and transparently with the recommendations that the Agency makes in that regard.

With respect to the challenge of non-proliferation, today we wish to announce that, with Cuba's ratification of the Treaty of Tlatelolco and the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), as well as its decision to conclude a safeguards agreement and an additional protocol, Latin America has consolidated its status as the first nuclear-weapon-free zone in the world. However, the exemplary situation in Latin America is the exception to the rule today in terms of non-proliferation.

Since the 1960s, my country has participated actively in creating and strengthening the NPT. Indeed, I myself was President of one of the NPT Review Conferences. However, today, in the light of that experience, we believe that the existing non-proliferation regime is being overwhelmed by the challenges of the twenty-first century. We must acknowledge today that it is increasingly clear that the nuclear-non-proliferation regime of the past century is failing. The temporary asymmetry accepted in the 1960s between NPT nuclear and non-nuclear-weapon States has been perpetuated because nuclear disarmament has not been carried out in keeping with the requirements of the NPT. Moreover, there has been a proliferation of more nuclear States; today we can count perhaps nine such States.

Controlling access to nuclear-weapons technology has become increasingly difficult. Almost all nuclear technological development today is of dual use. It may be peaceful and military at the same time. Today one can easily find available literature with formulas for the manufacture of explosive nuclear devices. Today we also have nuclear scientists who are unemployed or poorly employed, who can offer their services not only to States that aspire to become nuclear States, but also to terrorist groups.

Given these new challenges, we believe that the time has come to envisage a new international non-proliferation regime which would limit the processing of weapon-usable nuclear material in civilian nuclear programmes, control the production of new nuclear material by enrichment, administer the disposal of fuel and radioactive waste and, finally, ban the production of fissile material for military use with a view to beginning the reduction of nuclear weapons.

We need to be realistic and reduce nuclear-weapon stocks, because these weapons fulfil no strategic function in the face of the challenges of the twenty-first century. What can nuclear weapons do to counter terrorism, except encourage their own proliferation? What can nuclear weapons do about civil wars of national disintegration that are ravaging the world? What can they do about financial crises or trafficking in drugs, persons and small arms? What can they do against global pollution, poverty and major human migrations?

I have the impression that the globalization of human contacts in the twenty-first century will change our perception about the relevance of nuclear weapons. The development of air transport and digital telecommunications will produce increasing connectivity among individuals, among non-State entities and among cultures, giving rise to the perception that we are a single human civilization with diverse cultures. This new perception will prevail over the obsolete, ethnocentric and nationalistic perception of the past century, which was the basis of State and ideological rivalries and nuclear deterrence.

The meeting rose at 1 p.m.

United Nations A/58/PV.53

General Assembly
Fifty-eighth session

Official Records

53rd plenary meeting
Monday, 3 November 2003, 3 p.m.
New York

President: The Hon. Julian R. Hunte ..... (Saint Lucia)

The meeting was called to order at 3 p.m.

Agenda item 14 (*continued*)

Report of the International Atomic Energy Agency

Note by the Secretary-General transmitting the report of the International Atomic Energy Agency (A/58/312)

Draft resolution (A/58/L.10)

Mr. Zarif (Islamic Republic of Iran): Allow me, at the outset, to express our gratitude to Mr. Mohamed ElBaradei, for his tireless efforts and for his report to the General Assembly, in which he has provided additional information on the main developments in the activities of the International Atomic Energy Agency (IAEA) during 2002.

The objectives of the International Atomic Energy Agency, as set out in article II of its statute, include the Agency's seeking to

> "accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world."

That objective emanates from an important pillar of the non-proliferation regime enshrined in legally binding provisions of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). In accordance with article IV of the Treaty, States parties undertook to facilitate the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Indeed, the inalienable right of all States parties to nuclear technology for peaceful purposes without discrimination constitutes the very foundation of the Treaty.

This inalienable right in itself emanates from two broader propositions. First, scientific and technological achievements are a common heritage of mankind. They must be used for the improvement of the human condition and not abused as instruments of terror and domination. The IAEA, in its resolution GC(43)RES/14 of 1 October 1999, has recognized that "many countries consider nuclear power, being a climatically benign source of energy, to be an eligible option under the Clean Development Mechanism of the Kyoto Protocol." In this context, the IAEA General Conference requested the Director General to pursue efforts to strengthen the technical cooperation activities of the Agency aimed at improving the scientific, technological and regulatory capabilities of developing countries and by continuing to assist them in first, the peaceful applications of atomic energy and nuclear techniques in the fields of inter alia food and agriculture, human health, industry, water resource management, and environment; and secondly, in nuclear energy production for those States pursuing it as a component of their energy mix in the twenty-first century.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

03-59260 (E)

My delegation welcomes the report of the Director-General in which he has outlined the activities of the Agency in these important areas.

The second general proposition is the requisite balance between rights and obligations, which is the basis of any sound legal instrument. This balance guarantees the longevity of the legal regime by providing incentives for membership and compliance. The provisions of the NPT and IAEA Statute on the right to nuclear technology and the imperative of cooperation and sharing of the technology among those who have accepted the obligations of non-proliferation testify to the wisdom and understanding of the drafters. However, in practice, we must guard against further entrenchment of the impression that membership in the NPT and the IAEA safeguard regime in fact constitutes an impediment to peaceful use, while non-membership is rewarded by acquiescence, as in the case of the development of one of the largest stockpiles of nuclear weapons in the Middle East. If anything, failure to accept the NPT and the safeguard obligations of IAEA should have made the only outsider to the NPT in the Middle East the subject of most severe restrictions and not provide it with impunity.

The international community as whole has a right to be assured that the nightmare visited upon the people of Hiroshima and Nagasaki will never happen again. The only guarantee of this, obviously, is the total elimination of nuclear weapons, as stipulated by the NPT and the advisory opinion of the International Court of Justice. But as an interim measure, the international community must take all necessary steps to ensure the universality of the non-proliferation regime and the IAEA safeguard mechanisms. The IAEA can play a decisive role through vigorously pursuing a balanced and non-discriminatory application of the provisions of the NPT and IAEA safeguards.

Yet it must be emphasized that arbitrary and often politically motivated limitations and restrictions will only impede the ability of the IAEA to conduct its verification responsibilities in an orderly fashion. The logic is simple: such restrictions will not lead to the targets' abandoning of their inalienable right to nuclear technology and accepting marginalization in this important field of human achievement. In all likelihood, it will lead, as it has, to acquisition of the same peaceful technology from unofficial channels and in a less than fully transparent fashion, thus exacerbating mutual suspicions and mistrust.

Like all other members of the NPT, Iran considers the pursuit and development of nuclear technology for peaceful purposes to be its inalienable right, and has thus invested extensive human and material resources in the field. At the same time, as repeatedly stated, nuclear and other weapons of mass destruction have no place in Iran's defence doctrine, not only because of our commitment to our contractual obligations under the NPT and other relevant conventions, but in fact because of a sober strategic calculation.

Yet, illegitimate sanctions have targeted not only Iran's legitimate nuclear programme but in fact the entire industry and all possible sources of supply of material and equipment. What Iran has been able to achieve is primarily the result of the intellect and hard work of Iranian scientists. Regrettably, a politically charged atmosphere of concern was orchestrated concerning this limited peaceful capability, an atmosphere that has little to do with the objectives of non-proliferation.

Following consultations with the Director General of the IAEA and the Foreign Ministers of Britain, France and Germany, possibilities for a different approach emerged, an approach in which Iran's right to peaceful use was recognized and future cooperation in the area of material and technology through confidence-building and transparency promised to replace the past practice of limitations and denials.

Iran therefore decided to take yet other measures in order to remove any doubts about its intentions and to set the stage for mutual confidence and cooperation. On 23 October, we provided a full and consistent picture of Iran's activities in the past, which will certainly enable the Agency to verify not only that all Iranian activities are exclusively in the peaceful domain, in compliance with the NPT, but also that necessary corrective measures have additionally been taken in order to meet every technical requirement of the safeguard system. This will enable us to put the past behind us, to put to rest all the concerns, misplaced as they may have been from the beginning, from our perspective.

As further confidence-building measures for the present, Iran has voluntarily decided to suspend uranium enrichment activities, sign the Additional Protocol and continue to cooperate with the IAEA in

accordance with the Protocol, pending its ratification, which will have to be done by the Iranian parliament.

We continue in this trend and are pleased to see that this process has begun to bear fruitful results. We expect that, as we proceed on this track, reciprocal satisfaction of commitments in good faith will open yet further horizons for confidence and cooperation.

Mr. Aboul Gheit (Egypt) (*spoke in Arabic*): I wish to express the Egyptian delegation's appreciation for the statement of Mr. ElBaradei, Director General of the International Atomic Energy Agency (IAEA). The statement highlighted the Agency's distinguished contribution to main activities during 2001-2002 and informed us of major future challenges that we must be prepared to face.

While Egypt recognizes the Agency's tangible contribution to the system of safeguards and verification and to enhancing sustainable development activities through the transfer of technology, know-how and technical cooperation, we also wish to commend the effort made during the past two years to update and develop a technical cooperation strategy to serve the developmental priorities of member States and to define vital activities, to which the Agency will contribute concretely in the near future. Hence, the importance of achieving stability and certainty in financing the Agency's activities in the fields of technical cooperation and technology transfer, as those activities are among the pillars of the organization's work, inasmuch as they contribute directly to enhancing the well-being of peoples, particularly in the developing countries.

On that basis, Egypt has participated in and contributed to achieving consensus on the Agency's programme budget for the 2004-2005 biennium because we are convinced of the need to realize a real increase in budget resources in a way that will ensure that the Agency's secretariat can carry out its responsibilities, as stipulated by its Statute, particularly in the field of the peaceful uses of nuclear energy and in enhancing the regime of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). At the same time, we are conscious of the need to strike a balance between the various activities of the Agency, particularly those related to safeguards and technical cooperation and the need to ensure that the resources for technical cooperation will be sufficiently stable and predictable.

Undoubtedly, increasing the Agency's budget by up to 6 per cent would reflect member States' appreciation for the importance of its work and activities in the area of nuclear non-proliferation and nuclear technology transfer for peaceful uses and for the realization of the goals of sustainable development.

With regard to verification and safeguards activities, we take note of the efforts made by the IAEA secretariat to complete the conceptual framework of integrated safeguards. At the same time, we reaffirm that the effectiveness of safeguards will not be achieved unless we attain universal application of comprehensive safeguards. We take this opportunity to reiterate once again that, without continuing efforts to realize universal application of the Agency's comprehensive safeguards, any efforts to enhance the safeguards regime will not yield results in terms of eliminating threats of nuclear proliferation. Comprehensive safeguards constitute the major pillar of the nuclear non-proliferation regime and it is therefore important to work to achieve their universal application.

Egypt has put forward a number of initiatives at the regional and international levels to face threats stemming from nuclear proliferation. For more than a quarter of a century we have called for the establishment of a nuclear-weapon-free zone in the Middle East. President Hosni Mubarak has also called for the establishment of a zone free of all weapons of mass destruction in the Middle East. Egypt, through the IAEA, calls for the implementation of the Agency's comprehensive safeguards on nuclear installations in the Middle East region, without discrimination.

Despite all the initiatives to achieve security and stability in the countries of the region, Israel, one of the countries of the region, has shown no desire to interact seriously to deal with the threat of nuclear proliferation in the Middle East. It continues to refuse to make progress in applying the comprehensive safeguards of the Agency to all its nuclear installations. This affects adversely efforts aimed at confronting the nuclear non-proliferation issue in general, and in the Middle East in particular.

This situation imposes a double responsibility on the international community to eradicate and eliminate all threats to international peace and security stemming from nuclear proliferation, and to endeavour to

implement the Agency's comprehensive safeguards in the entire Middle East region.

With regard to nuclear security, the events of 11 September 2001 have underscored the dire need to enhance and strengthen the Agency's activities and programmes to protect nuclear material and installations and other radioactive material from the threat of nuclear terrorism. Egypt considers that, as long as nuclear material not subject to any international monitoring or verification controls exists, then the threats and risks of such materials falling into the hands of terrorists will continue to exist.

Egypt has participated effectively in the Agency's efforts to develop a perception concerning proposed additional activities and measures to protect against nuclear terrorism. Egypt considers that an ideal implementation of the Agency's proposed activities must include a number of basic criteria, including that such activities not be a substitute for national measures and that they not lessen the responsibility of countries in dealing with security-related matters. Another criterion is that the activities should be financed through a voluntary mechanism. In that context, Egypt hopes that proposed additional measures and activities in this area will supplement technical cooperation programmes and activities without detracting from them.

We call for the experts' panel established by the IAEA Director General to carry out and complete its work as quickly as possible.

We reaffirm once again that our position on the production of fissile material is based on the fact that all nuclear material, including stockpiles, should be subjected to the safeguards and verification regime, which must be in keeping with the objectives of any convention concluded in this regard.

In conclusion, I would like to confirm that Egypt will always support the activities of the IAEA and will strengthen its capabilities to face future challenges in this context. We thank once again Mr. ElBaradei, Director General of the IAEA, for all his efforts towards realizing the purposes and principles of the Agency.

Mr. Kim Sam-hoon (Republic of Korea): My delegation also thanks Mr. ElBaradei, Director General of the International Atomic Energy Agency (IAEA), for his informative report on IAEA activities. We also commend the Director General and his staff for the dedication and professionalism with which they continue to carry out their responsibilities.

The Republic of Korea attaches the utmost importance to the work of the Agency and actively participates in all areas of its activities. The Agency's role in verifying the non-proliferation commitments of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and other bilateral and regional non-proliferation arrangements is instrumental to the maintenance of international peace and security.

The past year has been a time of unprecedented challenges for the global nuclear non-proliferation regime based on NPT. Accordingly, it has been a trying year for the IAEA. The Agency's ability to perform its duties as the guardian of the non-proliferation regime has been sorely tested. North Korea and Iran present the most pressing proliferation concerns for the international community today. We believe that the Agency has thus far dealt with these two cases in a most appropriate and professional manner. However, there is still a long way to go, if the spectre of proliferation on these two fronts is to be eliminated once and for all. How these concerns are resolved will have a decisive bearing on the future of the nuclear non-proliferation regime, as well as the broader international security landscape.

With respect to the North Korean nuclear issue, we believe that resolution GC(47)/RES/12 adopted by the forty-seventh regular session of the IAEA General Conference last September, conveys the clear message of the international community. We reiterate our position that Pyongyang's nuclear weapons programme cannot be tolerated under any circumstances and that there is no substitute for North Korea's complete, irreversible and verifiable dismantling of its nuclear weapons programme. The Republic of Korea is committed to a diplomatic and peaceful resolution of the issue through the Six-Party Talks. We look forward to an early resumption of and smooth progress in the Talks.

Turning to Iran's nuclear issue, we welcome Iran's recent decision to cooperate with the IAEA and its intention to sign the Additional Protocol as a significant step in the right direction. We also take positive note of Iran's decision to voluntarily suspend all uranium enrichment and reprocessing activities. In our view, regaining the confidence of the international

community in Iran's sincere commitment to non-proliferation is central to the resolution of all outstanding concerns about Iran's nuclear programme. However, this may take more than Iran's technical compliance with its legal obligations under NPT and the safeguards agreement.

Nuclear terrorism is another challenge that requires the resolute and coordinated response of the international community. We support a comprehensive nuclear security approach with a view to preventing nuclear and other radioactive materials from falling into the wrong hands. We recognize the Agency's central role in coordinating international efforts to combat nuclear terrorism, and we appreciate its contributions to providing training, advisory services and databases in the area of nuclear security. My Government looks forward to a timely conclusion of the amendment to the Convention on the Physical Protection of Nuclear Material under the auspices of the IAEA.

The recent challenges to the global non-proliferation regime have demonstrated the inherent limitations of the existing regime and the inadequacies of legalistic approaches alone in dealing with determined proliferators. The Agency should be better equipped with both the resources and the strengthened mandate necessary to deal with challenges from multiple sources. To this end, we attach great importance to strengthening the existing safeguards system through the universalization of the Additional Protocol.

My Government has recently completed its domestic preparations for the implementation of the Additional Protocol. We expect that the ratification process will be completed by the end of this year. We also underscore the vital role of the export control regimes led by the Nuclear Suppliers Group and the Zangger Committee in supplementing the NPT system.

The Republic of Korea strongly supports the Agency's work in the promotion of the peaceful uses of nuclear energy and its applications through its technical cooperation programme and its normative activities to enhance global nuclear safety standards. We agree with Director General ElBaradei's view that nuclear power, which currently meets about 16 per cent of the world's demand for electricity, remains the only energy source that can supply electricity on a large scale with minimal impact on the environment. We encourage the Agency to enhance its role in promoting wider recognition of the potential that nuclear power holds for sustainable development.

The Republic of Korea views the promotion of peaceful uses of nuclear energy, particularly in the area of power generation, as an integral part of its sustainable development strategy. Our 18 nuclear power reactors currently in operation meet more than 40 per cent of our electricity demand. If the same amount of electricity were generated by coal-fired power plants, our total greenhouse gas emissions would be at least 20 per cent higher than they are now. We are ready to share our own experiences with respect to the planning, construction and operation of nuclear-power plants with all countries in good standing under the NPT.

Before concluding, I would like to draw the attention of the IAEA member States to resolution GC(43)/RES/19, adopted by the 43rd IAEA General Conference in 1999. That resolution approved the amendment to article VI of the Agency's Statute to expand the membership of the Board of Governors from 35 to 43.

Four years have passed since the amendment to the Statute was approved by the General Conference, yet we note that only 34 of the 137 IAEA member States have so far ratified the amendment. We believe that the expansion of the Board membership will make the composition of the Board more representative of the underlying international realities and thus will strengthen the authority, effectiveness and relevance of the Agency in dealing with the new challenges the Agency faces today. The Republic of Korea therefore calls upon all member States of the IAEA which have not yet done so to ratify the amendment without further delay, so that it may come into effect at the earliest possible date.

Mr. Konuzin (Russian Federation) (*spoke in Russian*): the Russian Federation extends its greetings to the Director-General of the International Atomic Energy Agency (IAEA), Mr. ElBaradei, and thanks him for introducing the annual report of the Agency.

Russia is an active member of the IAEA. We are satisfied with the Agency's work and recognize the growing importance of its role in strengthening the international regime governing non-proliferation of nuclear weapons and in ensuring the required level of confidence for cooperation in the peaceful uses of

atomic energy and for developing safe nuclear-power production.

We wish to reaffirm that there is a need further to strengthen and enhance the efficiency of the IAEA safeguards system as the basis for the nuclear-weapon non-proliferation regime.

The terrorist acts that have taken place in Russia, the United States and other countries; the recent dramatic developments in the Middle East; and the critical situation in Iraq are clear demonstrations of the danger posed by international terrorism to the entire world community. This requires that we strengthen our efforts to establish a global system to counter new challenges and threats, including nuclear ones.

The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) has a key role to play in ensuring international security. It is our hope that preparations for the 2005 NPT Review Conference will help to consolidate the positions of as many States as possible in favour of the main goals and objectives of that Treaty.

The Russian-American Strategic Offensive Reductions Treaty, which has now entered into force, was an important contribution on the part of Russia to the strengthening of strategic stability and was evidence of Russia's compliance with its obligations under the NPT. We are convinced that the Treaty goes beyond the framework of bilateral relations and meets the interests of all countries.

Mr. Alexandre (Haiti), Vice-President, took the Chair.

We believe that one substantial element of nuclear disarmament is the disposition of excessive weapons-grade materials and the reduction of nuclear weapons. We are implementing the agreement between the Governments of the Russian Federation and the United States of America of 18 February 1993, which dealt with the disposition of highly enriched uranium extracted from nuclear weapons.

We support the IAEA Project on Innovative Nuclear Reactors and Fuel Cycles, which is being implemented under the auspices of the Agency and within the context of the General Conference's resolution, adopted in 2000, on strengthening the Agency's activities related to nuclear science, technology and applications. That Project is a practical step towards implementation of the initiative by the President of the Russian Federation, Mr. Putin, which was announced at the Millennium Summit, on developing proliferation-safe nuclear technologies.

We note also that in September, the IAEA General Conference approved the resolution proposed by Russia on the Agency's activities in this area. Recently Russia has been devoting increasing attention to research and development on new nuclear technologies. In accordance with our strategy for nuclear-power development in Russia in the first half of the twenty-first century, we have initiated a number of innovative projects using thermal reactors and fast neutron reactors. The goal is to address, inter alia, the issue of how to ensure the safe use of weapons-grade and energy plutonium and of how to prepare for the transition to a totally closed fuel cycle.

Let me turn now to some aspects of the Agency's activities on which the international community's attention has been focused. We are following developments related to Iran's nuclear programme, and we welcome the steps taken by that country to develop a dialogue with the IAEA in order to resolve pending issues.

We appreciate the work being done now by Tehran and by IAEA experts, which represents progress in the right direction. We believe that in future any problem between the IAEA and Iran should be resolved through cooperation.

It is our expectation that Iran will fully comply with the provisions of the September resolution adopted by the IAEA Board of Governors. We believe that that resolution offers a work plan for the IAEA and Iran to clarify pending issues as soon as possible. We hope that by the next meeting of the Board of Governors, substantial progress will have been made in the implementation of those measures contained in the September resolution, and it is our hope also that this matter will be shifted back from political debate to the more routine track of work between the Agency and a member State.

We welcome Iran's declared readiness to sign the protocol additional to safeguards agreements with the Agency and to refrain from operations involving sensitive elements of the nuclear fuel cycle, especially uranium enrichment experiments. We regard these decisions as a major step forward by the Iranian leadership. It is our feeling that, today, the issue of Iran's nuclear programme is excessively politicized.

We hope that it will be possible to move it back within the area of regular International Atomic Energy Agency (IAEA) inspection activities.

At present we see no reason to reduce our cooperation with the Islamic Republic of Iran in the nuclear field, which is fully transparent and does not violate international obligations, either those of Russia or of Iran.

As to the nuclear programme of the Democratic People's Republic of Korea, we would like to say that Russia has made political and diplomatic efforts with a view to an early resumption of talks to settle the North Korean nuclear problem within the six-party format. We welcome the agreement, in principle, on a new round of multilateral talks within the framework of the Beijing process. A comprehensive solution must be found to this problem, which should include measures to make the Korean Peninsula a non-nuclear area, stop Pyongyang's military nuclear programme, get the Democratic People's Republic of Korea back into the Non-Proliferation Treaty (NPT) and into cooperation with the IAEA, and take due account of the legitimate interests of the Democratic People's Republic of Korea by, for example, guaranteeing its security and creating a favourable environment for its normal economic development. We consider Pyongyang's decision to withdraw from the NPT reversible.

In conclusion, let me express our support for the consensus resolution on the IAEA report drafted by our Spanish colleagues. Russia appreciates the work done by the IAEA and is a sponsor of the draft resolution (A/58/L.10).

May I also take this opportunity to invite representatives of the Member States to the meeting being held to address United States-Russian non-proliferation measures to meet global security challenges that will be co-hosted by the Russian Minister of Atomic Energy, Mr. Rumyantsev, and United States Secretary of Energy, Mr. Abraham. The meeting will be held in the Economic and Social Council Chamber at 4 p.m. on 5 November.

Mr. Akram (Pakistan): I join other speakers in extending our gratitude to our dear friend Mr. ElBaradei for presenting the annual report of the International Atomic Energy Agency (IAEA). The dynamic leadership provided by Mr. ElBaradei is emblematic of the commendable work being performed by the Agency, at times in very difficult circumstances.

The IAEA is a unique international forum whose statutory obligations are designed for promoting development through the peaceful uses of nuclear energy. Its technical expertise is unmatched, and its goals and objectives are equitable.

The fast depletion of fossil resources has revived the demand for nuclear energy. We are encouraged to see that the Agency's report has highlighted the growing demand for nuclear energy during 2002. The pace of the construction of various reactors, especially in Far East and South Asia, could be further increased if States were not subjected to undue restrictions. With innovative technologies, safe nuclear power plants are a reality and could be constructed in energy deficient countries. In this regard, the IAEA's role in the transfer of safe technology to developing countries has assumed added significance. We hope that the Agency will formulate a comprehensive policy for this purpose.

The Agency's development role has been duly acknowledged in the World Summit on Sustainable Development as promoting specific action for sustained energy development through peaceful uses of nuclear energy. Additionally, the Agency's role in the promotion of the linkages between peace, economic growth and technology needs to be emphasized.

The safety and verification aspects of the IAEA mandate remain import pillars of the Agency's mandate. The Agency has initiated action with regard to the safety of nuclear materials. There is a need to focus attention on securing so-called "orphan" sources of such materials, which pose an immediate danger of falling into the wrong hands. The Agency's report highlights this aspect and we fully agree with the remedial measures that have been suggested.

As regards the strengthening of the Agency's safeguards system, Pakistan believes that the maintenance of a proper balance between the promotional aspect and safety and security related concerns of the Agency's functions is essential. The Agency's safeguards should not be used to serve partisan political objectives. Its verification regime can remain credible only if it is applied on a non-discriminatory basis, as stipulated by the Agency's Statute.

The Government of Pakistan attaches the highest importance to the IAEA's Technical Cooperation Programme, which offers unique opportunities to developing countries. In view of Pakistan's limited

fossil fuel resources, nuclear power generation has become an indispensable element of our national energy strategy. We are also extremely sensitive to the risk of industrial pollution expected as a result of our economic growth. This obligates us to promote nuclear power generation in the coming years. Pakistan's excellent operational and safety record for its two nuclear power plants and the existence of a reliable infrastructure have encouraged us to acquire another nuclear power station similar to the Chashna Nuclear Power Plant.

Pakistan's future nuclear power generation activities will not be limited merely to the installation of more power plants, but extend to the utilization of some of these facilities for the powering of desalination plants. We are working on a first demonstration desalination unit at the Karachi Nuclear Power Plant. Pakistan is also applying nuclear science for the development of agriculture, health and wasteland reclamation. We appreciate the growing cooperation between the Pakistan Atomic Energy Commission and the IAEA in these fields. Pakistan is also interested in playing a serious role in international efforts to promote the International Project on Innovative Nuclear Reactors and Fuel Cycles, to enable Pakistan to benefit from safe, cost effective and proliferation-resistant nuclear power plants in the future.

We are highly sensitive to the safety and security of our nuclear installations, particularly when Pakistan is extending its nuclear power generation for economic development. We have successfully established a strong safety culture in our nuclear activities and are adhering diligently to the principles of the Convention on Nuclear Safety. We have further strengthened security measures around our nuclear installations to avoid any possibility of nuclear terrorism or of illicit trafficking of nuclear material. Our active participation in the Agency's initiative to strengthen the Convention on the Physical Protection of Nuclear Material will be continued.

We all have great expectations from the IAEA in the promotion of socio-economic development of its member States. The Agency's technical cooperation requires a reassessment of its current framework whereby it can render assistance to member States on a non-discriminatory and equitable basis. The following measures can help in enhancing the Agency's cooperative role. First is the need to preserve the technical nature of the IAEA and to ensure its functioning according to its statutory mandate, without any politicization of its agenda. Second is the imperative of maintaining balance between the Agency's promotional aspects and its functions related to verification, safety and security. Third is the significance of the Agency's technical cooperation activities and the role that those activities can play in assisting in the development and practical application of atomic energy for peaceful uses and in technology transfer to developing countries. Fourth is the provision of more assured resources for technical cooperation activities, technology transfer and training facilities for developing countries. And fifth is greater involvement by developing countries in the design and implementation of technical cooperation projects, as well as increased outsourcing to developing member States for technical cooperation programmes.

Finally, we are pleased that this year's draft resolution on the IAEA report has taken into account the concerns of all Member States. The new text excludes the controversial elements that have impeded the adoption of a consensus resolution on the subject in the past. We have joined the consensus, and we would be pleased to be a sponsor the draft resolution.

Mr. Motomura (Japan): On behalf of the Government of Japan, I should like to express my gratitude to Mr. Mohamed ElBaradei, Director General of the International Atomic Energy Agency (IAEA), for his statement as well as for preparing the report of the Agency, contained in document A/58/312.

The regime of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) has been a key element in world peace and stability, and serves the common interest of all of us. In the light of the current situation, I should like to reaffirm my country's unshakeable commitment to the NPT regime.

Japan's basic atomic energy law strictly limits the use of nuclear energy to peaceful purposes. Japan, the only country to have suffered nuclear devastation, firmly adheres to the long-standing policy of the three non-nuclear principles. Those principles state that we will not possess or produce nuclear weapons or permit the introduction of such weapons into Japan. That policy will not change: Japan will never possess nuclear weapons. Japan will fulfil its obligations under its safeguards agreement with the IAEA and its Additional Protocol to attain full transparency in its

nuclear activities, including the utilization of plutonium.

The peaceful, appropriate use of nuclear energy greatly contributes to the welfare of mankind and to social and economic development worldwide. It also minimizes the burden on the environment. The nuclear energy option is therefore of vital importance for mankind. Under the present circumstances — in which challenges to the NPT regime and to the IAEA safeguards have surfaced — the IAEA's activities for the purpose of strengthening and promoting the peaceful use of nuclear energy and non-proliferation are all the more relevant and noteworthy.

In view of recent challenges to the NPT regime, the IAEA safeguards system must be strengthened. To that end, we must promote universalization of the Additional Protocol. Currently, 78 States have signed that Protocol, but only 37 of them, including Japan, have brought it into force. Those figures are far from satisfactory. My Government would like to request countries that have not yet done so to sign and conclude the Additional Protocol.

In cooperation with the IAEA, the Japanese Government hosted in Tokyo last December the International Conference on Wider Adherence to Strengthened IAEA Safeguards. The Tokyo Conference — which aimed to consolidate the outcomes of the preceding regional seminars — was very successful, with 82 participants from 36 countries throughout the world. The participants reaffirmed the importance of the Additional Protocol, and the Chairman's summary of the Conference put forth a series of proposed actions to encourage adherence to the Additional Protocol. In keeping with the outcomes of the Conference, we shall continue to undertake efforts aimed at universalization of the Additional Protocol, building on our extensive experience in its implementation.

Since the terrorist attacks on 11 September two years ago, nuclear security has become an important issue for the international community. The IAEA plays a vital role in this area. It is worth noting that participants in the International Conference on Security of Radioactive Sources, held in Vienna last March, agreed on the importance of the security of radioactive sources in the context of the fight against nuclear terrorism. Moreover, at the Group of Eight (G-8) Evian Summit, held this year, the G-8 leaders reached an agreement on a statement and an action programme for securing radioactive sources. Japan, as a member of the G-8, continues to take appropriate measures in that area and also expects the international community to work on improving the management of radioactive sources and to support the IAEA's role in that regard.

The North Korean nuclear issue has heightened international tension since October last year. It is regrettable that North Korea remains in non-compliance with its safeguards agreement with the Agency and is proceeding with nuclear weapons development. That is a very serious issue for the peace and stability not only of the region, but also of the international community as a whole.

The basic positions of my Government with regard to the North Korean nuclear issue are as follows. First, North Korea's development of nuclear weapons and its possession and transfer of such weapons are totally unacceptable. Secondly, North Korea must come into compliance with all international obligations related to the nuclear issue, including the NPT. Thirdly, North Korea must immediately dismantle its nuclear weapons programme and its nuclear development programme in a complete, verifiable and irreversible manner.

My Government aims to achieve a peaceful and diplomatic solution of the nuclear issue through the process of the six-party talks. My Government urges North Korea to take positive and responsible measures aimed at resolving that issue. Japan believes that the IAEA can play an important role in the verification of the North Korean nuclear issue, and we shall continue to support the Agency's efforts for the peaceful solution of this matter.

As regards the recent decisions made by the Iranian Government on its nuclear programme — which are for the most part in line with the requirements enumerated in the September IAEA Board of Governors resolution — Japan views such developments as a positive step. It is important, however, that Iran act in accordance with its own decisions and also that it comply fully with the IAEA Board of Governors resolution. Japan will be closely watching Iran's actions, and we shall pay close attention to the upcoming report by the Director General, while cooperating closely with the international community and the IAEA in the efforts to resolve this issue.

In closing, I should like to reiterate my Government's strong commitment to and support for the activities of the IAEA so that it may fulfil its noble mission under the leadership of its Director General.

Mr. Oyugi (Kenya): Allow me to commend the President on behalf of my delegation for the able manner in which he has continued to guide the deliberations of the Assembly. I wish to reassure him of my delegation's support and cooperation.

I also wish to commend the Director-General of the International Atomic Energy Agency, Mr. Mohamed ElBaradei, for his comprehensive report for the year 2002 and the additional information on the major activities of 2003.

Kenya has been, and continues to be, a firm supporter of the Agency's endeavours to strengthen the non-proliferation regime and the peaceful use of nuclear energy in the context of sustainable development. I would like to express the support and commitment of the new Government of Kenya to the indispensable contribution that the Agency continues to make in these important fields.

My delegation attaches great significance to the Agency's cardinal responsibility to provide Member States with definitive and independent assurances on the safety and proper use of all nuclear materials around the world, in accordance with international obligations and commitments. In that regard, I would like to express my delegation's satisfaction with the Agency's conclusion that, in the main, all nuclear materials and other items placed under safeguards remained consigned to peaceful activities and were adequately accounted for during 2002.

Nuclear non-proliferation, as enshrined in the Non-Proliferation Treaty (NPT), goes beyond requiring States to relinquish their right to develop nuclear weapons: it is also about requiring those States already in possession of nuclear weapons to give them up. The commitment on nuclear disarmament given by the nuclear-weapon States at the NPT Review Conference of 2000 ought therefore to be respected. Calls by nuclear-weapon States for other States to abandon their nuclear ambitions would carry more weight and moral authority if they were accompanied by their own demonstration of greater commitment to nuclear disarmament.

It is disappointing that some nuclear-weapon States are instead pursuing research into new types of nuclear weapons and are developing strategic plans to include the possible use of such weapons. Those developments are a serious affront to the NPT commitments and grossly undermine efforts at achieving the universality of the Non-Proliferation Treaty. My delegation is equally disheartened that the latest Article XIV Conference of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) held in Vienna in September 2003 ended without any significant progress towards ratification of the Comprehensive Nuclear-Test-Ban Treaty by the remaining Annex II countries, yet early entry-into-force of the Treaty was the first of the 13 practical steps to disarmament agreed at the 2000 NPT Review Conference. Pending the entry into force of the Treaty, it is paramount that the moratorium on nuclear-test explosions or explosions of any other nuclear device be maintained.

The Kenya delegation welcomes the Agency's determination, as emphasized in the Director General's report, to continue with the development of the ever-increasing number of peaceful nuclear applications such as sea water desalination, sterile insect techniques, the mutation and breeding of food crops and other applications in the field of nuclear medicine. Those activities, which the Agency has continued commendably to advance within its technical cooperation framework, are of special significance to those of us from the developing countries.

I am pleased to report that valuable achievements have been made in the Agency's technical cooperation activities in Kenya. Current agency activities include the use of nuclear techniques to enhance crop production and improve the diagnosis and control of livestock diseases. For instance, we have been successful in developing an improved variety of wheat that has greater resistance to drought and pests.

One of the greatest obstacles to increased food and agricultural production in sub-Saharan Africa is the tsetse fly infestation and trypanosomiasis. We are therefore pleased that the sterile insect technique (SIT) developed by the Agency, whose effectiveness has already been demonstrated in the eradication of the tsetse fly, has been expanded to several African countries including Kenya. In recognition of the magnitude of the tsetse fly problem, African leaders initiated the Pan-African Tsetse and Trypanosomiasis Eradication Campaign (PATTEC), known as the

PATTEC Plan of Action. It is gratifying to note that the Agency and the PATTEC Coordinating Office within the Commission of the African Union have agreed on modalities for incorporating PATTEC activities in the New Partnership for Africa's Development (NEPAD) agenda.

The Agency's human health programme in Kenya includes the improvement of the national healthcare delivery system, particularly in the area of diagnostics and radiotherapy. We shall soon be requesting the Agency to consider new project proposals for assistance in establishing two radiotherapy centres, which would benefit patients in rural areas. In the light of the demonstrated success of the sterile insect technique in tsetse eradication, we are confident that the inauguration of the SIT research project on the eradication of malaria-causing mosquitoes at the Agency's Seibersdorf laboratory will play a leading role in the Roll Back Malaria Programme.

Kenya is also involved with the Agency in the implementation of a regional project in the water sector on isotope hydrology integration. The project aims at redressing water inadequacy in our region through the application of nuclear techniques. We believe that the Agency is well endowed to make a greater contribution towards providing durable solutions in this field.

The flourishing of peaceful nuclear techniques in the twenty-first century calls for a stringent safety culture as an indispensable component of any successful peaceful nuclear technology programme. My delegation is therefore appreciative of the Agency's support, within the model project on radiation protection infrastructure, given to the Kenya Radiation Protection Board to improve radiation safety. The Agency has provided support in the form of equipment for the Radiation Protection Board and in the establishment of a system for occupational exposure control. The Government is also in the process of revising the Radiation Protection Act in order to make it basic-safety-standard compliant.

As Kenya and, indeed, many developing countries continue to integrate modern nuclear techniques in technological development, the need for highly competent personnel in nuclear science assumes greater significance. We therefore appreciate the Agency's efforts to provide training opportunities for our scientists, and we encourage the Agency to widen cooperation in that important area of human resource development. We also note with pleasure the launch of the World Nuclear University, and it is our hope that this initiative will go a long way towards redressing the problem of the shortage of nuclear scientists, particularly in developing countries.

Kenya recognizes the daunting challenges facing the Agency as the only competent and specialized body of the United Nations family charged with the vital role of advancing the peaceful use of nuclear energy. It is a role that the Agency has continued to fulfil admirably. However, the Agency can continue to fulfil that role only if Member States support its work programme by making the necessary financial resources available. It is my delegation's hope that member countries will heed the Director General's call for sustained and predictable funding.

Let me once again thank the Director General of the International Atomic Energy Agency and his staff for their good work over the past year. My delegation is confident that they will continue to meet the challenges ahead with the same professionalism that they have shown to date.

The meeting was suspended at 4.25 p.m. and resumed at 4.45 p.m.

The President returned to the Chair.

Address by Mr. Yoweri Kaguta Museveni, President of the Republic of Uganda

The President: We are honoured to have in the Assembly His Excellency the President of Uganda, who has graciously consented to address us on the issue of "Commodities and development: the experience of Uganda". Mr. President, I welcome you to the General Assembly and express our profound appreciation for your presence here.

The issue you will address is one that the international community has discussed and debated for many years — how to respond to the problems of commodity-dependent economies. This is a particularly critical issue for the overwhelming majority of developing countries. Indeed, the declining and volatile commodity prices, combined with trade policy practices in the developed world, including tariff escalation and tariff peaks, have been among the factors significantly impeding the development efforts of commodity-dependent countries.

It is understandable, therefore, that commodities should and must be a key issue for the United Nations. Your visit here today, Mr. President, not only underscores this, but also provides us with another very important opportunity to spotlight many of the issues concerning commodities.

We have also received invaluable assistance in addressing the commodities issue and in reviewing actions for further progress from the report of the Meeting of Eminent Persons on Commodity Issues. That report is the outcome of the General Assembly's request to the United Nations Conference on Trade and Development (UNCTAD) to convene a Meeting of Eminent Persons, which was held in Geneva on 22 and 23 September 2003. The now completed Eminent Persons report was the subject of discussion at the recent meeting of the UNCTAD Trade and Development Board.

Over the past week, we have had the opportunity to review many of the issues concerning commodities, particularly during the High-level Dialogue on Financing for Development, as well as in the Open-ended Panel of the General Assembly on Commodities, convened on 27 October to consider the report of the Eminent Persons.

We have addressed in a frank and forthright manner issues including dependence on commodities, the impact of the free market on that dependence, the use of commodities as vehicles for investment and speculation in deregulated and free capital markets and the impact of those phenomena on the natural volatility of commodity earnings.

The meeting of Eminent Persons, in particular, has made important recommendations for consideration by the General Assembly in areas including market access, oversupply of commodities, compensatory financing and the strengthening of capacity and institutions. The point has also been made that a long-term solution might be to take a new look at the establishment of an international export diversification fund. Further consideration of the commodities issue is now proceeding in the Assembly's Second Committee.

There is an important message conveyed in the report of the meeting of Eminent Persons and in the discussions of the commodities issue, including by the Open-ended Panel: it is that the time is now overdue for decisive action to be taken to assist commodity-dependent countries in achieving a higher level of growth, employment and income.

All initiatives in the commodities area stand to benefit immensely from the address today by the President of Uganda. Uganda in many ways typifies the experience of commodity-dependent poor countries. It has faced development challenges due to commodity price volatility, a secular decline in commodity prices and the trade policies of the developing world. There are encouraging signs that an environment more conducive to growth and development for Uganda and other commodity-dependent developing countries is now taking shape.

President Museveni is well placed to share with the General Assembly the particular challenges Uganda has faced and continues to face as a commodity-dependent developing country. We would also welcome the President's views on the efforts his Government is making to position Uganda to take full advantage of all available opportunities for growth and development. Mr. President, we very much look forward to the important address you will make to this Assembly.

I now give the floor to Ms. Louise Fréchette, Deputy Secretary-General of the United Nations.

Ms. Fréchette: Let me first join in welcoming President Museveni to the Assembly. It is a real pleasure to have him with us today, and I look forward to his address explaining the experience of Uganda and the very important subject of trade and commodities.

The world economy has gone through enormous changes over the last few decades. But one fact has changed very little: a large number of developing countries remain greatly dependent on the export of primary commodities.

Out of 141 developing countries, 95 depend on commodities for more than half of their export earnings. For 70 of them, those revenues were generated by only three commodities. That makes those countries very vulnerable to price declines and volatility.

And, indeed, commodity prices have declined over the long term, especially after 1980. Between 1980 and 2002, agricultural prices have declined by 47 per cent relative to manufacturing prices, and the prices of metals and minerals have declined by 35 per cent relative to manufacturing prices. For some individual commodities, the price declines are even larger. For

instance, coffee producers now receive roughly a third of the price that prevailed in the mid-1990s.

The price declines can be explained by factors such as little growth in demand, technological advances that have led to synthetic substitutes and oversupply, for example as a result of subsidies or misguided policies.

Needless to say, that has deprived both Governments and the people of developing countries of large amounts of revenue, contributing to poverty and making it more difficult to reach the Millennium Development Goals. For a group of 81 mostly small developing countries, the foreign exchange loss amounted to more than $6 billion per year on average during the period 1995 to 2000, according to one estimate.

Lower export revenues have also endangered the success of the Heavily Indebted Poor Countries Initiative. Eight heavily indebted poor countries have reached the completion point, but some of them have experienced worsening debt indicators owing to lower commodity prices.

Little has been done about these long-standing problems. Old instruments such as contingency lending and buffer stocks have faded into history. Recently, there seems to be, as President Chirac has put it, a conspiracy of silence.

The Monterrey Consensus highlighted the need to mitigate the consequences of low and volatile revenues from commodity exports. Where do we go from here?

First, market access needs to be improved. It is deplorable that cocoa beans enter the major developed markets largely unhindered, while final products can enter only at tariffs of 15 to 30 per cent, with maximum tariffs even higher. The Doha Development Round of trade negotiations should address those issues for all commodities.

Secondly, developing countries themselves can implement policies that reduce their vulnerability. Especially important are medium-term fiscal frameworks, social safety nets and well-managed reserve funds to smooth large swings in public revenues. The latter also improve accountability and transparency in the public management of receipts from the exploitation of natural resource endowments, which in several cases has been a source of conflict.

Thirdly, dormant international financing mechanisms that compensate for fluctuations in export revenues, such as the International Monetary Fund's Compensatory and Contingency Financing Facility, should be revived.

Fourthly, new market-based approaches could be explored. That would include insurance schemes and risk management tools. Technical assistance in this area is needed.

Finally — and perhaps most important of all — is diversification. Many developing countries have made great progress in the diversification of exports, thanks to policy reforms and investments in skills, education, infrastructure and technological capabilities. Uganda, for example, has significantly increased exports of items such as fish and cut flowers. I am sure that President Museveni will provide some valuable insights on his country's efforts.

If we are to have any chance of halving poverty and meeting the Millennium Development Goals by 2015, we need to address the fundamental problem of commodities that many developing countries face. I urge you all to give this issue your urgent attention and thank you for the opportunity to share my thoughts with you.

The President: I now give the floor to Mr. Sha Zukang, President of the Trade and Development Board of the United Nations Conference on Trade and Development.

Mr. Sha Zukang (United Nations Conference on Trade and Development): It is an honour for me to address the Assembly, in my capacity as President of the Trade and Development Board of the United Nations Conference on Trade and Development (UNCTAD), on the very important and pressing issue of commodities.

The difficulties faced by commodity-dependent developing countries has regained centre stage because, over the past two decades, commodities in general have lost more than a half of their purchasing power relative to manufactured goods. That problem is compounded by the endemic volatility in commodity prices, which effectively compromises long-term planning in those countries. According to UNCTAD, the average monthly fluctuations in the prices of bananas, cocoa, cotton, hides and skins, nickel, petroleum, sugar, tea and most vegetable oils have been more than 10 per

cent, which has made it impossible for countries that depend on the export of those products to have a reasonable predictability in their incomes. Moreover, commodities form the backbone for most industries in those countries, with the effect that the collapse in world commodity prices has been accompanied by de-industrialization, with very negative implications for employment and well-being.

Against that background, it is clear that dealing effectively with the problems of commodities is crucial in the quest for sustained economic growth and sustainable development in commodity-dependent developing countries. The objective of achieving the Millennium Development Goals by the year 2015 adds a strong sense of urgency to that task, which should enable us to summon the political will to push the commodity agenda forward.

Last year, the General Assembly requested the Secretary-General of the United Nations Conference on Trade and Development to designate independent eminent persons to examine and report on commodity issues, including the volatility in commodity prices, the declining terms of trade and the impact that these have on the development efforts of commodity-dependent developing countries. That group of 15 members from diverse backgrounds and with diverse affiliations has, on the basis of frank, open and in-depth analysis and discussion, come up with 15 realistic, practical and focused recommendations. The recommendations — in three broad categories, dealing with short-term, medium-term and long-term solutions, and addressed to clearly identified audiences and institutions — highlight the following priorities: first, enhanced, equitable and predictable market access for commodities of key importance to developing countries, which has much to do with trade negotiations; secondly, addressing the problems of oversupply, which include not only subsidies, but also gains in productivity; thirdly, making compensatory financing schemes user-friendly and operational; fourthly, strengthening capacity and institutions; and fifthly, pursuing possibilities for the creation of a new international diversification fund so as to address that problem with adequate financing.

The Trade and Development Board of UNCTAD considered the report of the independent eminent persons on 17 October 2003. In the debate, there was complete unanimity of views on the urgent need to reach a solution to the commodities problem. Many speakers also felt strongly that that issue deserved the attention of the World Trade Organization and that an early resumption of the Doha round could offer a concrete opportunity to deal with the commodities question, especially in areas such as the removal of trade-distorting subsidies and other trade practices that adversely affect agricultural market access. It was also recognized that the work required to effectively address the commodity question involves many institutional players, including UNCTAD, on analysis of commodity trends and capacity development; the International Monetary Fund and the World Bank, on compensatory financing; the Food and Agricultural Organization of the United Nations, the Common Fund for Commodities and the United Nations Industrial Development Organization, on diversification; the International Trade Centre, on export promotion; and the major private-sector players in commodity markets, on issues of fair trade.

This morning, I reported to the Second Committee on all those aspects and emphasized the need to maintain high visibility and a high profile for the commodities issue until lasting solutions are found. I stressed that action on the recommendations of the independent eminent persons group should be initiated immediately and that the forthcoming UNCTAD XI should be utilized to add impetus to that work and to further strengthen UNCTAD's capacity to fully implement the aspects of the recommendations that fall under its mandate.

In conclusion, I urge the Assembly to help in every way possible to break what has been called the conspiracy of silence on the long-time suffering of commodity-dependent countries. It is easy to advise those countries simply to allow the forces of the market to take their course. That type of attitude would, however, not be consistent with the realities of policies that many countries apply, wrongly or rightly, to their own commodity sectors. The reason why we insist on a quest for solutions to the problems of commodity-dependent countries is that it is an international issue, and the countries concerned do not have the capacity to make the painful adjustments that are required to restructure their economies without international support. Therefore, this is an issue on which especially developed countries must muster the political will to act in good faith. The report of the independent eminent persons group represents innovative and fresh proposals — drawing on long experience and recent

trends in the multilateral trading system — that should form the bedrock of such action.

The President: The Assembly will now hear an address by the President of the Republic of Uganda.

Mr. Yoweri Kaguta Museveni, President of the Republic of Uganda, was escorted into the Conference Room.

The President: On behalf of the General Assembly, I have the honour to welcome to the United Nations His Excellency Mr. Yoweri Kaguta Museveni, President of the Republic of Uganda, and to invite him to address the Assembly.

President Museveni: My presence here is a happy accident; I was here for another purpose, and it was suggested that I might like to address this powerful body. I had not prepared a written speech, but, since this a topic with which I am very familiar, I quickly jotted down a number of points that I will share with the Assembly. Furthermore, I recently addressed a conference in Tokyo, Japan, on a topic similar to that which the Assembly is discussing, and that statement will be distributed to members.

I understand that commodities have a Christian name. The Christian name is "raw materials". Normally, in our part of the world, you have a surname, and then there is a Christian name, or a Muslim name if you are a Muslim. That is why I am called Yoweri Museveni. My surname is Museveni, Yoweri is the Christian name. So, the Christian name of commodities is "raw materials", because I do not see a people referring to fabric as commodities.

When we talk of textiles, the word "commodities" is not used. When we talk of cars, we do not use the word commodities. That word mainly refers to minerals and other natural products, which are not processed. Now I have not read the report of the eminent persons, so I do not know how they define commodities, but my understanding of commodities is unprocessed raw materials to be used in manufacturing.

Producing raw materials is not a mistake. The mistake is to rely solely on raw materials for your future — that is where the mistake is. Raw materials are necessary, they are precious, they are the basis of industrialization, but the mistake of those 95 countries — the examples that were talked about, including mine — is to rely solely on exporting raw materials. That is where the mistake is.

The mistake is in two parts: first, to depend solely on exporting raw materials and secondly, not to add value to them. When you make the two mistakes, what happens? You suffer in four ways. First, you get a tenth of the value of your product. Uganda produces most of the raw materials we are talking about: cotton, coffee, tea, tobacco, minerals — we produce all that.

Let us take the example of cotton. There are many stages in cotton production. First you grow the cotton. Once you have harvested it, the next stage is to gin it. Ginning means you remove the seeds from the cotton, and you have what is called lint cotton. The next stage is spinning, to turn the cotton into yarn. After that is weaving, to produce a fabric. The next stage is finishing, making printings and all that. The next stage is tailoring to produce a garment like those all of us here are wearing.

Uganda, in the past, has ended its contribution to the cotton product at ginning. So Uganda has been exporting lint cotton, the cotton after the seeds are removed. What does that mean? I normally hear people are talking of donor countries, and I do not know what is the opposite of donor. The opposite of donor must be "donee", the one who gets donations. Because if there is a donor, there must be a "donee".

As a matter of fact, the "donees" are actually the donors. African countries, including my own, are big donor countries, but they are donors in ignorance; they do not know that they are donors. How are they donors? How is my country a donor?

If, as we have been doing much of the time, we export the cotton in the lint state, after the seeds are removed, according to present-day prices, we get $1.20 per kilogram. If that kilogram is turned into yarn, if someone does the spinning, the value goes up three times. So, if we got $1.20, we would now get $3.60. If that yarn is woven, the value goes up six times. If it is tailored to produce a garment, the value goes up ten times. So while we get $1.20 by exporting the lint cotton, if we process it through all stages to produce a garment, we get $12 or $15 from the same cotton.

So therefore, when we export cotton as lint, what are we doing? We are a donor, a mega-donor — not even a small one, a mega one. We are donating, I think, three or four things. First, we are donating $9 or $10 for every kilogram of cotton we export. We are donating it to other people, those who do the value addition. We get one tenth of the value of our

product — that is number one — so we are a donor of money.

All those African countries, many of them are donors. They are donating money. Not only that, they are donating jobs, because if we export cotton as lint, who will do the spinning? It will not be my sister, it will not be my son; it will be somebody else. Who will do the weaving? It will be somebody else. Who will do the finishing of the cotton? It will be somebody else. Who will do the tailoring? It will be somebody else. So those countries are actually donors of money and donors of jobs. That is why there are no jobs in Uganda or all these other countries. That is the reality.

Coffee is the same story. In 1986, Uganda was one of the four biggest exporters of coffee in the whole world, after Brazil, Viet Nam and Colombia. In 1986, we were exporting 2 million 60-kilogram bags of coffee. At that time in 1986, we were earning $500 million from the 2 million bags. We are now exporting 4 million bags, so we have doubled our export volume. But we are getting $126 million. The harder we work, the less we get. That is the law of raw materials — what you call commodities. Yes, the harder we work, the less we get. But is the price of coffee in the world going down? Is the person in New York paying less for coffee? Not at all. The price for the final consumer is instead going up.

What proof do I have? Five years ago, the world's coffee business totalled $55 billion. Out of that $55 billion, the coffee-exporting countries — the Ugandas, the Brazils and the Viet Nams — were getting $8 billion. The total business was worth $55 billion, but the ones growing the coffee were getting $8 billion. That was about five years ago.

What is the situation now? The coffee business in the world is now $71 billion. It has gone up. But how much are the Ugandas getting? They are getting $5 billion. The price to the consumer is not going down; it is going up. The one who is getting less is the primary producer.

Who, then, is the donor, and who is the recipient? Uganda is, in fact, among the donors, and has been persistently, but ignorantly, donating money and jobs to other people.

Of course, we also donate taxes, because, if spinning is done in Uganda, that would mean that my people were employed in spinning. Others might be employed in weaving. Once they are employed, they get income. Once they get income, they can be taxed, in the form of income tax. My girls will buy more perfume and shampoo, and each of those canisters of shampoo has a tax on it — so the Uganda Government would get more taxes if the spinning were done in Uganda.

I do not know what the Eminent Persons recommended. I have not yet read their report. But I do not like sentimentalism. Sentimentalism will not help us. Raw materials must go down in price no matter what. That is a law of nature. There is nothing we can do with regard to raw materials; they will continue to go down in price. Why? There are three reasons.

The first reason is that, as technology changes, some of those raw materials are no longer needed or are needed in smaller quantities. One example is copper. In the 1960s, a number of African countries, including Uganda, were very prosperous, thanks to the high price of copper; they were getting a great deal of money from copper. At that time, copper was being used to make telephone wires and electric equipment. Then technology changed, and telephones could be made with less copper. Demand declined, and the price of copper collapsed.

What to do, then, if technology has changed and there is not so much demand for copper? Are you going to arrest people and force them to use copper, even when they no longer need it? Who needs to change? The users of copper or you? You are the producer of copper, and you should be the one to change, to adjust, instead of just sitting down and thinking that the world owes you a living. That is one reason why the prices of what you call commodities go down. They go down because science and technology change, and therefore there is either no demand, or less demand, for a particular commodity.

The second reason is oversupply. It so happens that these commodities, as you call them, are low-technology products. Anyone in the tropics can produce coffee, from Colombia to Viet Nam, to Uganda and through much of Africa. There is therefore an oversupply because coffee is very easy to produce.

There is a third reason, and maybe that is where the United Nations could help us. The third reason is the subsidies of the United States, the European Union, and Japan.

As you can see, I am not very young. I have been around for some time. In 1955, when I was in third grade, I was told that the greatest exporter of beef in the world was Argentina, and that the greatest exporter of wheat in the world was Argentina. What happened to Argentina as a major beef exporter? Protectionism in Europe, the United States and Japan has closed us out of those markets. I produce a lot of beef myself — very good beef, very healthy — but I cannot export it to many of those countries because of their protectionism.

If, therefore, the third-world countries cannot export beef, milk or sugar because of protectionism, what do they do? They all crowd into the export of coffee, because coffee is the only product with respect to which there is no rivalry between us and the countries of the North. That is one of the reasons for the overcrowding in the coffee business, because coffee is the only window — one of few windows; I think the other one might be tea — where there is no competition between what we export and what is produced in the European Union and the United States.

Maybe, from this angle, if there were no subsidies for products in the United States, Europe and Japan, it would be possible for us to spread out. Instead of all of us crowding into coffee, we could go to beef, and others could go elsewhere. There would be more spreading out.

What is the solution? I see two.

I heard what the Assistant Secretary-General said — diversification. As a number of people have noted, it is true that Uganda has diversified. We produce a lot of things — fish, cotton, and, of course, flowers. I did not know that people exported flowers, because we in the tropics take flowers for granted. One does not bother with flowers. But when we heard that flowers were an export, we started to export them.

Indeed, although we are in all those sectors, we get very little in each one — except for flowers and fish, because there we have a direct link with the final consumer. We process the fish and sell it to the supermarket — and we get a reasonable price. But we do not get much for the other products, which we export as raw materials — even if we diversify. So is diversification the answer? Perhaps it is a partial answer. The real answer involves not only diversification, but also transformation — another word that I would like to introduce. Instead of just diversifying, I say we should transform our economy so that it adds value to the raw materials. We should cut out the middleman and link up with the consumer.

If I add value to coffee — if, instead of just exporting the berry after removing the husk, I roast and grind it — I will get six, seven, eight — even 10 — times as much as I get for just removing the husks. My proposal, therefore, is that countries should add value to their products. They should stop exporting materials in their raw form and should add value. The fund that is being talked about should be a fund aimed at transforming the problem, not just at ensuring diversification so that we get richer in cotton, in coffee or in leather. No — we should transform, and add value. That is my own view.

But how would that be possible? It would be possible if we gained access to the big markets of the West. The West has big markets. There are 290 million people in the United States; we Africans are 800 million. Our population is about three times the size of the population of the United States. But what is the market of the United States? It is $11 trillion. What is the market of the whole of Africa? It is $500 billion. In other words, those 290 million people consume 21 or 22 times as much as the 800 million people of Africa. Why are we consuming so little? Because we have no money in our pockets. It is not that we do not the stomach — we have the stomach to eat. But we do not have the money to buy. Why does someone not have money to buy what he wants, or to buy it in sufficient quantities? Because he has no job, he is not working. Remember, the job was donated. If you donated a job, you now do not have a job. Since you do not have a job, you have no money — and if you have no money, you cannot consume. So it is a vicious circle. You cannot consume, because you have no job.

But what do we do to create jobs for these people — for these 800 million Africans? If you buy what they produce, especially if you buy — not the raw material, but the finished product — you will be helping Africans in a number of ways. First, they would get jobs — spinning or weaving, to refer to my earlier example of cotton, although that model can be replicated across the board. Once they had jobs, they would have money; and once they had money, they would consume. You would find that the African market was also empowered, and that would be advantageous to the United States, Europe and Japan, because they would then export back to Africa, and Africa would be a very big market for them. In fact, it

could be said that Africa is the last emerging market. We have been talking about emerging markets. All those 800 million people are waiting to buy on a big scale — to buy televisions, more textiles, more food for themselves.

I would like to provide an example of what I am talking about. Uganda produces a lot of milk from cows. In fact, we now have an over-supply of milk, and nowhere to send it. According to the World Health Organization, each one of us is supposed to drink 200 litres of milk per annum to take care of our bones and to make sure that our teeth do not fall out. But how much milk are Ugandans currently consuming? They are consuming only 30 litres per annum. That is why we have a number of dental problems — because we do not drink enough milk. Why are Ugandans drinking only 30 litres of milk? It is not that they do not like milk, but that they do not have the money to buy it. So we have a problem. There is over-supply and under-consumption of milk in the same country. All of that is because there are no jobs.

I apologize for coming here in such an impromptu manner — but no harm done. It has been good to have a chat. I would like to conclude by saying that, in my view, the way to solve the problem of raw materials is to transform the economies that depend on raw materials so that they become industrial economies. Before coming here, I tried to remind myself of my old economics studies and the evolution of economic thought. Many years ago — about three centuries ago — there was a school of economic thought, in France in particular, known as the physiocrats. This was at a time when economic thought was evolving. Originally, there were the bullionists, who believed in amassing gold and so forth, and the mercantilists, who believed in trade. Then a school of thought emerged in France called the physiocrats, and for some time they were in competition with the mercantilists — until Adam Smith came along and helped to advance the knowledge of economics when he pointed out the need for, in particular, specialization and the division of labour.

Now it seems that we in Africa are still behaving as if we were the physiocrats of 300 years ago — a long time ago. Because you cannot have an economy that is based on agriculture alone — on raw materials, agriculture and, to some extent, minerals. That is a big mistake. We must have an integrated economy based on industry, agriculture and mining, linked together and producing for the export of goods and services. That is what we need. We need diversification, but that diversification must lead to the transformation of our economies.

The President: On behalf of the General Assembly I wish to thank the President of the Republic of Uganda for the statement he has just made.

Mr. Yoweri Kaguta Museveni, President of the Republic of Uganda, was escorted from the Conference Room.

The President: I sincerely wish to thank the President of the Republic of Uganda for his enlightening and thought-provoking presentation on the issue of commodities, which is so critical to the well-being of the developing world. He spoke eloquently, openly and frankly about the vicissitudes and changes that commodity-dependent countries face. But importantly, he also commented on what was needed to redress the situation.

The President made an interesting point which developing countries, particularly small countries like mine, need to take into consideration: diversification alone, can get us nowhere. Diversification with a view to transforming an economy is what will eventually lead us out of the box that we find ourselves in. He also made an interesting point that it is about time that we saw ourselves differently. He pointed to the concept of value-added and what that means, which, to our peril, is something we have ignored for years — even centuries.

As we discuss this issue at this particular time, we must go beyond traditional ways of thinking about solutions to the problem; we must think more independently in terms of how we can take ourselves out of this morass.

I am certain the United Nations will remain seized of this issue to ensure that developing countries will not be compelled to continue to run faster and faster in order to remain in the same place, to remain at the same level, or rate of development, due to factors beyond their control.

Let me thank other members of the panel, the Deputy Secretary-General and the President of the Trade and Development Board of the United Nations Conference on Trade and Development for their invaluable contributions. I would also like to thank the Chairman of the Second Committee for being present

at these proceedings and commend him for the continued valuable work that he is doing in the Committee.

Thank you all very much for your presence, and God bless.

The meeting rose at 5.45 p.m.

United Nations A/58/PV.54

General Assembly

Fifty-eighth session

Official Records

54th plenary meeting
Tuesday, 4 November 2003, 10 a.m.
New York

President: The Hon. Julian R. Hunte ..... (Saint Lucia)

The meeting was called to order at 10 a.m.

Agenda item 29

Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

Report of the Secretary-General (A/58/287)

Draft resolution A/58/L.4

Mr. De Alba (Mexico) (*spoke in Spanish*): Mexico comes to this highest international forum to reiterate its rejection of the application of unilateral laws or measures imposing an economic blockade against any nation. My country, moreover, has always rejected the use of coercive measures as a means of applying pressure in international relations.

Mexico bases its foreign relations on the principles of international law that govern the fellowship among nations, and which are also enshrined in our Constitution. These principles include the self-determination of peoples, non-intervention, the peaceful resolution of disputes, the prohibition of the threat or use of force, the legal equality of States, international cooperation in development and the struggle to achieve international peace and security.

For the foregoing reasons, the Mexican Government has unequivocally voiced its rejection of the imposition of political, economic or military sanctions that have not been explicitly approved by the Security Council or by the General Assembly.

My delegation has rejected the economic, trade and financial blockade imposed unilaterally against Cuba and has for more than a decade now consistently supported all resolutions adopted by the General Assembly regarding the need to end that blockade.

My country believes that the Helms-Burton Act is contrary to the norms of international law, a position that is in full accord with the opinion of the Inter-American Juridical Committee of the Organization of American States, issued on 4 June 1996.

For that reason, Mexico promulgated an Act to protect trade and investment from foreign norms that contravene international law, which came into force on 24 October 1996, in order to check the adverse extraterritorial impact of foreign norms that impinge upon Mexico's free trade with other countries and which violate international law to the detriment of any State.

In August 1999, Mexico supported Cuba's membership in the Latin American Integration Association and, in May 2001, signed an agreement with that country for the promotion and reciprocal protection of investments, among other measures.

More recently, at a meeting on joint cooperation for development between Mexico and Cuba, held on 14 and 15 October in Mexico City, a programme of

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technical and scientific cooperation was established for the period 2003 to 2005.

The blockade against Cuba must be brought to an end. Over the last decade, the General Assembly has exhorted Member States on repeated occasions to refrain from promulgating and applying laws and measures of an extraterritorial nature. At the current session of the General Assembly, Mexico, for the twelfth time, will renew its support for the resolution calling for the lifting of the blockade against Cuba, as unilateral measures adversely affecting the sovereignty and trade freedom of States are in contravention of my country's foreign policy and the spirit of the Charter of the United Nations. In accord with our steadfast position of principle, and as we have been doing since 1992, Mexico will vote in favour of draft resolution contained in document A/58/L.4.

Mr. Aboutahir (Morocco) (*spoke in French*): The Group of 77, at their first summit in Havana in 2000, called for the end of the economic embargo against Cuba. In this context, I would like, on behalf of the Group of 77 and China, to reiterate the position of the Group of 77 on the agenda item before us today, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

We have read the report of the Secretary-General (A/58/287) on this item. As already emphasized at past sessions of the General Assembly by the Chairman of the Group of 77, it is important to highlight the fact that the economic, commercial and financial embargo imposed against Cuba is a unilateral act, the extraterritorial effects of which have no validity in international law. It is therefore necessary that the embargo be lifted to allow a free flow of international trade.

The South Summit of the Group of 77 held in April 2000 expressed its conviction that national laws should not have extraterritorial applicability. While underlining the importance of North-South relations, the Group of 77 and China would like to reiterate the following points made at the South Summit.

First, that the elimination of laws and regulations with adverse extraterritorial effects and other forms of unilateral economic coercive measures is imperative, as they are inconsistent with the principles of international law, the United Nations Charter and the principles of the multilateral trading system.

Secondly, the Group of 77 reiterates its concern about the impact of economic sanctions on the civilian population and the development capacity of targeted countries. It therefore calls on the international community to exhaust all possible peaceful methods of dialogue before resorting to sanctions, which should only be considered as a last resort. If there is no alternative to sanctions, then sanctions may only be imposed in strict conformity with the Charter of the United Nations. In addition, sanctions must contain clear objectives, time frames and provisions for regular review, along with precise conditions for their lifting, and must never be used as punishment or other form of retribution.

Thirdly, the Group of 77 would like to recall the South Summit's sincere appeal to the Government of the United States of America to lift the economic embargo imposed on the Republic of Cuba since 1960. That embargo, which has gone on far too long, serves no other purpose than to preserve a state of tension between two neighbouring countries and to impose untold hardship and suffering on the people of Cuba, especially its women and children.

Finally, the South Summit emphasized its conviction that replacing the embargo with renewed dialogue and cooperation would undoubtedly contribute not only towards the removal of tension between the two countries, but would also promote meaningful exchanges and partnerships between those countries, already closely linked by history and geography and a common destiny.

Mr. Zhang Yishan (China) (*spoke in Chinese*): Resolutions have been adopted by the General Assembly for 11 consecutive years urging all countries to comply with the Charter of the United Nations and the principles enshrined in international legal instruments by repealing or invalidating all laws and measures with extraterritorial effects that impinge on the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and freedom of trade and navigation. Regrettably, the country concerned, continuing to ignore the just demand of the international community, has failed to implement those resolutions.

To force a country to give up its independently chosen road of development, even attempting to overthrow its Government by means of embargoes and sanctions, runs counter to the purposes and principles

enshrined in the Charter of the United Nations and the basic norms guiding international relations. It is also a distortion and violation of the principle of democracy.

The embargo and sanctions imposed by the United States against Cuba have been going on for more than 40 years. The United States claims that these measures are designed to improve so-called democracy and human rights. In reality, those measures have seriously constrained Cuba in its nation-building efforts to eradicate poverty, improve the living standard of its people and promote economic and social development. The result is a grave violation of the fundamental freedoms and human rights of the Cuban people, including the right to life and development.

The extraterritorial effects of the financial embargo imposed by the United States against Cuba violates international law and the principles, objectives and rules of international trade. It also runs counter to the principle of free trade encouraged by the United States itself. Currently, 78 countries have suffered economic losses as a result of the embargo. The international community should be seriously concerned about the embargo and sanctions and demand their immediate end.

The sovereign equality of States and the principle of non-interference in their internal affairs are at the heart of the norms guiding present-day international relations. It has been the consistent position of the Chinese Government that the purposes and principles of the Charter of the United Nations must be adhered to in efforts to promote the democratization of international laws. Acts such as the rich bullying the poor and the strong bullying the weak are certainly not acceptable to the international community.

We believe that it is the inviolable sovereign right of all countries to choose their political and social systems and mode of development and to administer their internal affairs in accordance with their national situation. Differences between States should be resolved through dialogue and cooperation on the basis of equality and mutual respect. For this reason, the Chinese Government opposes the economic, commercial and financial embargo imposed by the United States against Cuba. We support the Cuban Government and people in their endeavour to safeguard national independence and State sovereignty.

While it claims to be a democratic country that listens to the will of the people, in fact, for 11 years the United States has acted against the will of the people and the will of the international community. It is our hope that the United States will keep pace with the times, replacing confrontation with dialogue, embargo and sanctions with communication and exchange, and earnestly implement the relevant resolutions of the United Nations. China supports the draft resolution submitted by Cuba under the current agenda item.

Mr. Neil (Jamaica): I have the honour to speak today on behalf of the 14 member States of the Caribbean Community (CARICOM) that are members of the United Nations, namely, Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago and my own country, Jamaica. We join with those who have spoken before in supporting the need to bring to an end the economic, commercial and financial embargo imposed by the United States against Cuba. We are greatly concerned at its detrimental effects on the Cuban people.

The CARICOM States wish to reaffirm the importance that we attach to the strict observance of the principles of international law and to freedom of trade and navigation. We remain opposed to the extraterritorial application of national legislation that seeks to impose artificial barriers to trade and cooperation, and which is contrary to the principle of the sovereign equality of States.

Our member States, in keeping with our policy of mutual respect, good-neighbourliness and respect for the principles of the United Nations Charter, maintain friendly relations with Cuba and with the United States of America, with whom we have mutually beneficial programmes of cooperation and trade.

In accordance with the fundamental principles that guide the foreign policy of the Caribbean Community, the foreign ministers of CARICOM, at their meeting in Saint Vincent and the Grenadines in May 2003, reaffirmed that engaging Cuba and pursuing dialogue with its Government at the highest level are in the best interests of the Cuban people.

Accordingly, we reiterate our call for a constructive process of dialogue and normalization of relations, which we believe would be in the interests of all parties. For us in the Caribbean, it would remove a source of tension and conflict and improve the climate

for peaceful development and cooperation in our region.

The CARICOM delegations support the contents of the draft resolution that is before the General Assembly in A/58/L.4 and we will vote in favour of its adoption.

Mr. Rastam (Malaysia): Malaysia is fundamentally opposed to all forms of unilateral economic, commercial and financial sanctions and embargoes. Malaysia therefore joins the rest of the international community in calling, yet again, for an immediate end to the embargo imposed by the United States on Cuba and its people.

The report of the Secretary-General entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", contained in document A/58/287, has clearly shown that many countries do not agree with the policy carried out by the United States. Malaysia shares their views.

For many years now, this Assembly has consistently adopted, by an overwhelming majority, resolutions calling for an immediate end to the economic, commercial and financial embargo imposed by the United States against Cuba. The adoption of such a resolution has clearly and unambiguously shown the international community's total rejection of the unilateral action taken by the United States against Cuba. The policy adopted by the most powerful nation in the world against its small neighbour is most perplexing. This policy is said to be intended to bring about a peaceful transition to democracy. Yet the prolonged economic, commercial and financial embargo has caused untold suffering to the Cuban population, particularly the elderly, women and innocent children. In spite of Cuba's well-known resilience and valiant efforts at ensuring its survival as an independent and sovereign nation, the sanctions have seriously impeded Cuba's socio-economic development potential. It has affected the Cuban people's material, social and cultural well-being.

This unilateral policy of the United States runs counter to the spirit of the Charter of the United Nations. It has completely ignored the current trend towards calls for increased understanding and dialogue among nations and civilizations. Malaysia reiterates its strong belief that, even in the most difficult of situations, differences among nations could be better resolved through dialogue and negotiations, rather than through isolation and direct confrontation. Therefore, we urge the United States to end the policy and engage in serious dialogue to resolve its problems with Cuba.

The Non-Aligned Movement (NAM) has also consistently reiterated the developing countries' collective rejection of this policy. NAM has expressed its deep concern at the extraterritorial application of laws, in particular the Helms-Burton Act of 1996, on Cuba and the other legislative measures designed to intensify the blockade. Consistent with this position, Malaysia joined other NAM member countries at the thirteenth Conference of Heads of State or Government of NAM in Kuala Lumpur in February 2003 to call upon the Government of the United States of America to put an end to the economic, commercial and financial embargo against Cuba.

The application of laws by the United States, which are intended to, inter alia, restrict Cuba's access to much-needed markets, capital, technology and investment, in order to exert pressure on Cuba to change its political and economic system or orientation, is not consistent with the universally accepted principles of international law, the Charter of the United Nations, World Trade Organization principles and relevant United Nations resolutions. It is discriminatory in nature and undermines the principles of sovereign equality of States, fundamental human rights and good-neighbourliness among States.

The economic blockade against Cuba is indeed a violation of international law. It also violates the right of the people of Cuba to life, to well-being and to development. The embargo has no doubt caused tremendous economic damage and aggravated the plight of the Cuban people.

Malaysia once again reaffirms its commitment to the respect for fundamental principles of sovereign equality among States, non-interference in their internal affairs and freedom of international trade and navigation. My delegation urges the international community to continue with its efforts to bring about an early end to the unilateral economic, commercial and financial embargo against Cuba. We sincerely appeal to the United States to heed the voice of many nations, which do not favour its unilateral policy and action.

In support of the principles of international law, the United Nations Charter and the promotion of

freedom of trade, Malaysia, as in the previous years, will vote in favour of the draft resolution that will be introduced by His Excellency the Minister for Foreign Affairs of Cuba.

Mr. Siv (United States of America) (*spoke in Spanish*): As it has done in past years, the Government of Cuba has introduced a draft resolution on the trade embargo of the United States against Cuba whereby it intends to affix blame upon the United States for the economic difficulties Cuba has encountered and to distract attention from its deplorable track record in human rights.

We stand firmly opposed to this resolution. Whatever opinion one may have about the embargo, it must be clear that this is a bilateral issue between the United States and Cuba. It is important to bear in mind that the embargoes were imposed after the illegal large-scale expropriation of United States properties for which the Cuban Government has never offered any indemnification whatsoever. This embargo has been reaffirmed by successive United States Administrations with a view to keeping the pressure on for restoring democracy in Cuba. This is not a blockade, as Havana asserts in its official pronouncements, inasmuch as it does not affect trade with other nations. Cuba is free to trade with any other country in the world, a freedom which, indeed, it is exercising. Moreover, over 175,000 United States citizens travelled legally to Cuba last year, using regular airline services linking the United States and Cuba.

The truth is that what adversely affects Cuba's trade with other countries is not the embargo, but its lack of credit solvency, which in turn stems from the fact that it does not pay its debts and owes billions of dollars in loans and arrears. It is not the embargo, but rather the failed economic policy of the communist regime that has brought trouble to Cubans and has destroyed what used to be one of the most advanced economies in the region.

A study carried out jointly with the Cuban Research Institute and the Economic Commission for Latin America and the Caribbean (ECLAC) has reached the conclusion that Cuba, to restore its battered economy, must relax the restrictions it is imposing on small businesses. In order to achieve effective growth, Cuba must deregulate, something Castro cannot do without giving up his authority over decision-making. We have offered to modify the embargo in exchange for reforms. In May 2002, the United States challenged Castro's Government to undertake political and economic reform, particularly to permit free and fair elections to the National Assembly. We also are urging the Cuban Government to dare to open its economy, to allow independent trade unions, and to put an end to practices that discriminate against Cuban workers.

President Bush has stated clearly that, if these specific reforms were to be carried out, he would prevail upon Congress to alleviate restrictions on trade and travel between the United States and Cuba. Far from initiating a political opening, however, the Cuban Government carried out a brutal repression in March 2003, sentencing 75 opposition militants, including representatives of the independent media, economists, trade union members and human rights activists, to sentences ranging up to 28 years in prison.

A variety of acts of political repression have struck down those who have militated for peaceful change throughout the period of this Cuban administration. Havana has shown no interest in carrying out the necessary economic and political reforms. Castro remains obstinately opposed to any political opening and continues to deprive the Cuban people of the most elementary of human rights as recognized in the Universal Declaration of Human Rights.

The Cuban Government characterizes support for this draft resolution as tantamount to support of its regime and repressive policies, as it has done during past years. For all these reasons, the United States stands firmly opposed to this mistaken draft resolution.

(*spoke in English*)

In the 1980s, President Reagan reflected on United States — Soviet relations by using a Russian saying "trust, but verify". On Communists and dictators like those in Havana, I say "never trust, always verify". The best day for Cuba is the day when the Cuban people open their ears and hear the truth, when they open their eyes and see freedom, when they open their mouths and say "Viva Cuba libre". Cuba's best day is when the Cuban people have terminated Castro's evil communist dictatorial regime and said to him "hasta la vista, baby".

Mr. Nguyen Thanh Chau (Viet Nam): The Government of Viet Nam consistently pursues a foreign policy based on the principles of respect for the

independence, sovereignty, equality, territorial integrity and national identity of all nations. We support the legitimate right of every State to exist, free from external interference, subversion or coercion. We stand for non-interference in the internal affairs of one another, settlement of differences or disputes by peaceful means and renouncing the threat or use of force.

In this spirit and from our firsthand experience, the delegation of Viet Nam has frequently joined others in this forum and elsewhere in voicing our consistent and vehement opposition to the use of sanctions for whatever reason or pretext against any sovereign State. The political motive of undermining a State is legally and morally wrong, and more often than not proves to be a failure. Sanctions, blockades and embargoes only bring suffering to bear upon innocent people, particularly old people, women and children.

While welcoming the recent lifting of sanctions against other countries, we cannot help wondering why the unilateral embargo against Cuba has not been lifted? If economic damage was the intention, the objective has been achieved. The embargo continues to affect the economic development and social well-being of the Cuban people and has caused significant losses of approximately $72 billion in all sectors of the Cuban economy. After more than four decades of existence, it could be entered in the *Guinness Book of Records* as the longest-lasting embargo in human history.

Again the question is why? Is the Republic of Cuba a security threat to its big neighbour? Are the 11 million Cuban people on that tiny island able to do harm to the world's hyper-Power? The answer is obviously "no". In 1959, the Cuban people stood up as one and rid themselves of foreign domination. They took their destiny in their own hands and exercised their right to self-determination. Through the long years of hardships, attacks — a total of 700 in the 14 months from November 1961 to January 1963 — threats and harassment from the outside, the Cuban people have stayed the course of development, holding their heads high, building a system of which they can be proud. Cuba has 70,000 doctors, of which more than 3,000 famous ones are helping other developing countries. Child mortality has been reduced from the rate of 60 per 1,000 before 1959 to 6.5 per 1,000. Education is free and universal. We warmly salute the achievements that they have recorded in the last 40 years.

All the peace-, freedom- and justice-loving peoples in the world whole-heartedly support the people and Government of Cuba in their national construction and defence. The most eloquent evidence of that is manifested by the fact that the item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" has been on the working agenda of the General Assembly every year since its forty-sixth session and has consistently received the support of the overwhelming majority of Member States, as well as that of many other international organizations and agencies, as reflected in the report of the Secretary-General (A/58/287). Recently, at the XXV Assembly of the Latin American Council of Social Sciences, which ended on 31 October 2003, 25 member States of the Council addressed an open letter to Secretary-General Kofi Annan expressing their demand that the blockade and embargo against Cuba should be put to an immediate end. We share the view that this 43-year-long embargo, with the extraterritorial application of domestic law against the tiny island, not only contravenes international law and the most basic norms of international relations but flagrantly violates the fundamental purposes and principles enshrined in the Charter of the United Nations as well.

Viet Nam holds the view that the dispute between the United States of America and the Republic of Cuba should be resolved through dialogue and negotiations on the basis of mutual respect, respect for independence and sovereignty and non-intervention and non-interference in the internal affairs of States. Although, as the old saying goes, "thick ice is not due to just one cold day", the dispute and mistrust between the two countries cannot simply be allowed to wait to be resolved; it requires goodwill and, above all, determination on the part of the United States Administration. In that vein, we welcome every effort to that effect by the parties concerned.

I wish to reiterate my Government's continued and unwavering support, cooperation and solidarity with the people and Government of Cuba. We will vote in favour of the draft resolution contained in document A/58/L.4 and hope that the United Nations will undertake concrete measures and initiatives so that the adopted resolution will be implemented in order to put an end to the hostile policies and acts against the Republic of Cuba. The longer the embargo goes on, the

more suffering the people of Cuba must bear. Not a single person of conscience can accept that prospect.

To this day, I remember my father's words spoken more than 50 years ago. He said, "Son, if you cannot love, do not just hate because hate brings mutual suffering — but you are the first to suffer". I wish to share this in the spirit of the commandment to love thy neighbour, drawn straight from the Holy Bible, as I believe love is always reciprocal.

The President: I now give the floor to the representative of Cuba, Mr. Felipe Pérez Roque, Minister for Foreign Affairs, to introduce draft resolution A/58/L.4.

Mr. Pérez Roque (Cuba) (*spoke in Spanish*): The economic, commercial and financial blockade imposed by the United States of America against Cuba must be lifted. Under the 1948 Geneva Convention, the blockade against Cuba qualifies as a crime of genocide. The blockade is a legal aberration. It violates the Charter of the United Nations. It is detrimental to international trade and hinders free navigation. It goes so far as to penalize entrepreneurs from other countries for investing in Cuba.

The crude and disrespectful tone used in this Hall just minutes ago by the representative of the United States compels me to depart from my text. I can understand the murmuring in the Hall that followed his crude remarks. I believe that so low and disrespectful an attack can only be the result of the desperation and isolation of the Government of the United States in its policy towards Cuba. The representative of the United States showed a lack of respect and indulged in personal attacks. But Cuba does not emulate such methods. It does not try to hide the lack of arguments by using disrespectful adjectives. It does not use empty epithets in place of arguments. I must therefore assure the Assembly that the representative of the United States has lied, and I will prove it. It is my duty to denounce those lies because the Assembly has the right to know the truth. The Assembly deserves respect, which means that the representatives of countries should behave in the Hall in accordance with the minimum rules of respect and good manners. I counted 15 lies or disrespectful attacks, on which I will comment briefly. I cannot fail to take the opportunity to reject them.

First, the representative of the United States has said that the embargo against Cuba is justified on the basis of what he has called Cuba's regrettable human rights record. That is a lie. The United States does not have the moral authority or the right to judge the human rights situation in Cuba. It should attend to its own situation. It should deal with the human rights violations that take place in its own country and the ones it provokes outside its border.

Secondly, he has said that the embargo against Cuba is a bilateral affair. That is a lie. The embargo impedes business with and investments in Cuba around the world through the application of the Torricelli and Helms-Burton Acts, which I will address later in my statement.

Thirdly, he has said that the embargo was established after the expropriations. That is a lie. The measures of the economic embargo and other forms of economic war against Cuba date back before the nationalization that was justly undertaken by the Cuban revolution.

Fourthly, he has said that Cuba did not offer compensation. That is a lie. The Cuban nationalization laws established compensation. In fact, that compensation was accepted by all foreign owners in Cuba, including Europeans, Canadians and Latin Americans; everyone except for citizens of the United States, whose Government prohibited them from accepting compensation.

Fifthly, he has said that the embargo is aimed at bringing freedom and democracy to Cuba. That is a lie. The embargo is aimed at turning Cuba back into a colony of the United States.

He has also said that last year, 175,000 United States citizens travelled legally to Cuba. That is a lie. A majority of them did so in violation of their own country's laws. Moreover, if the United States is not afraid of them travelling to Cuba — because the Government does not allow it — then why are there now more than 2,000 American citizens facing legal proceedings?

He has said that Cuba does not pay its debts. That is a lie.

He has said that the poverty of the Cuban people is not a result of the embargo, and that the embargo is not an obstacle. He has lied. On the other hand, it is true that we are a poor third-world country, but there is not one Cuban citizen who lacks medical care, as is the

case in the United States, where there are 44 million people who have no right to health-care services.

He has said that brutal repression was imposed in Cuba. In keeping with Cuban laws, mercenaries who receive money from the United States and who work there for the embargo and to promote subversion have been punished.

He has referred to the President of Cuba, the leader Fidel Castro, as a dictator. This Assembly knows very well that the Government of the United States and President Bush are attempting to impose a fascist dictatorship on a global scale.

Finally, he has referred to the Cuban Government as an evil and dictatorial regime, to which it wanted to say "Hasta la vista, baby". Never have such disrespectful words been heard in this Assembly. Cuba accepts the possibility of differences of opinion, differing arguments and different ideologies. But it believes there should be a minimum of respect shown to the delegates and countries represented here.

I regret that the representative of the United States will not have in his entire lifetime the right or the slightest opportunity to say "Hasta la vista, baby" to the people of Cuba. It is the people of Cuba, with the support of the international community, who will say "Hasta la vista to the blockade; hasta la vista to genocide". And in response to his disrespectful comments, we are not going to say "Hasta la vista" to our leader, our President; what we are going to say to him is "Patria o muerte; venceremos".

I will continue my statement to state that the embargo is a flagrant, massive and systematic violation of the human rights of the Cuban people. The only human rights violations committed in Cuba are the ones generated and provoked against our people by the embargo and the ones committed by the United States at the Guantanamo Naval Base, which it occupies against our will on our territory. It is also deleterious to the rights of United States citizens, the rights of Cubans living in the United States and the rights of nationals of other countries who wish to trade with and invest freely in Cuba.

I am not saying a single word from this rostrum against the people of the United States, who we consider as friends, who we do not blame. We believe that the people of the United States are also victims, like us, of a cruel, senseless policy pursued by its Government. I do not blame the people; I blame their Government, which subordinates its policy on Cuba to the corrupt interests of a minority of Cuban-born mobsters living in the city of Miami.

The embargo is the greatest obstacle to Cuba's social and economic development, and I reaffirm that here, refuting the claims of the representative of the United States. It has caused our country the loss of more than $72 billion, no less than $1.6 billion per year, in addition to the aggression, the invasions and the more than 600 assassination plots against our head of State. How many shortages and hardships would we have been spared without the embargo? How much farther would Cuba have gone in its noble endeavour of equality and social justice had it not had to deal with this ruthless and relentless blockade for more than four decades?

If the Government of the United States is so certain that the Cuban Government and authorities — the historic leadership of the Cuban Revolution — do not have the support of the people, then why does it not lift the embargo? If it says that we are using it as a pretext, then why does it not take that pretext away from us? Why does it not lift the embargo? Why does it not allow United States citizens to visit Cuba?

The embargo is a cruel and absurd policy that has no support within or outside the United States. Last year, 173 Member States voted against the embargo in the General Assembly. They understand that the crime being committed against Cuba today could very well be committed against any other country tomorrow.

The notion that the Cubans who are living in the United States support the embargo is erroneous; I state that here. Only a corrupt and greedy minority that has not hesitated to organize and carry out terrorist actions against our people is interested in keeping the embargo in place. This minority dreams of Cuba's return to the hands of United States troops; it dreams of revenge and pillage. President Bush — and the truth must be told in this Hall — is hostage to the spurious interests of that Cuban minority living in Miami. He owes them the presidency, controversially won in 2000 by the close margin of one vote in the United States Supreme Court.

The President of Cuba was re-elected in our National Assembly, made up of representatives elected by direct and secret ballot, throughout the entire country, in elections in which more than 95 per cent of the population participated. The President of the United

States was declared President by the Supreme Court in the midst of a scandal that left the country leaderless for more than a month.

However, a growing mass — increasingly less silent and more active — objects to this policy that curtails normal relations with their families and with Cuba.

The United States must recognize that the embargo is morally and ethically unjustifiable. It must recognize that it is a failure, that it causes its own isolation. We Cubans, far from surrendering, are more steadfast and independent; far from dividing, we have united; far from feeling discouraged, we have found new strength to defend our sovereignty and our right to freedom.

The United States must repeal the Helms-Burton Act. It has no right to impose its laws on the rest of the world. It has no right to dictate to Cubans how their country should be organized. It has no right to finance and organize subversion in Cuba. It has no right to sanction entrepreneurs from other countries for having ties with Cuba.

The United States must repeal the Torricelli Act. It has no right to prevent vessels from other countries from calling on Cuban ports. It has no right to prohibit the subsidiaries of United States companies based in third countries from trading with Cuba, especially since that prohibition is in violation of the laws of those countries in which the companies are domiciled.

The United States must allow Cuba to export to its territory. There is no reason for closing off our exports of sugar, nickel, tobacco, seafood, vaccines and biotech products, computer software and other Cuban products.

The United States must allow Cuba to import freely from its territory, and not only foodstuffs, but everything else as well, except for weapons in which we are not interested. It must eliminate the absurd restrictions that currently hinder and considerably restrict the sales of farm produce to Cuba.

The United States must allow its citizens to travel freely to Cuba. Why is the United States Administration chasing after them? Is it by any chance afraid that they may learn the truth? It is not ridiculous to go after a grandmother going to Cuba to ride on her bicycle? Why does the representative of the United States not explain in this Hall the case of Mrs. Joan Slote, age 74, fined $8,500 for having gone to Cuba? What really is democratic, to respect the clear and majority-based vote of both the House and the Senate, or stubbornly and shortsightedly to defend vulgar electoral interests?

The United States must stop preventing the free exchange of ideas. It must stop hindering visits by Cuban scientists, athletes and artists to this country. It must allow Cuba to acquire top-of-the-line equipment and technology for Internet access.

The United States must allow Cuba to use the dollar for its external trade and other commercial transactions. By what right does it seize Cuba's payments to companies or Governments of third countries?

The United States must eliminate the absurd prohibition preventing the import into its territory of products manufactured in third countries if these products contain Cuban raw materials. It must allow the World Bank and the Inter-American Development Bank to grant credits to Cuba. In this hemisphere, often those credits were stolen in the past by corrupt presidents and then later on deposited in American banks. That has not happened and never will happen in the case of Cuba!

The United States must authorize its banks to make loans to Cuba and allow its enterprises to trade with and freely invest in our country. Are these not private banks and enterprises?

The United States Government must prevent the Bacardi company from stealing the Havana Club rum brand name. Its Government should not act as an interested party, and I spell that out clearly, in a conflict involving trademarks and patents with Cuba.

The United States must return the frozen assets to Cuba and prevent Cuban money that is being frozen in banks in this country from being stolen by influential traffickers and greedy, petty lawyers from Miami.

The United States must return to Cuba the territory it is currently occupying against our will, namely the Guantanamo naval base. It must repeal the Cuban Adjustment Act and accept our proposal to engage in extensive cooperation to eliminate smuggling of aliens.

The United States must release the five young Cubans who are unjustly imprisoned, violating their

most basic human rights in this country, and go after the terrorists roaming the streets of Miami.

Finally, the United States must cease its aggression against Cuba. It must recognize Cuba's right to self-determination, free self-determination. It must let Cubans live in peace. It must recognize that from 1 January 1959 on — soon that will make 45 years — Cuba has been a free and independent country.

President Bush said a few days ago that Cuba is not going to change on its own. He is mistaken. Cuba is changing every day. There is no more profound and permanent change than that of a revolution. Cuba will change, yes, but increasingly towards more revolution and more socialism, towards more equality, more justice, more freedom and more solidarity. And so it will be over President Bush's objection because, as was said over 123 years ago by the apostle of our independence, José Martí: "Before relinquishing the endeavour to make our homeland free and prosperous, the southern sea will merge with the northern sea, and a snake will be born out of an eagle's egg."

The President of the United States went on to say: "but Cuba must change". I must pause at that phrase, because it entails an inherent threat of new sanctions against our country, as Cubans have understood it. The distinguished President of the United States must recall that he is the tenth to make such threats over these four decades of blockade and aggressions that Cuba has managed to overcome.

He should also know that his current difficulties pale against those that he would have had if he had mistakenly gotten into a tango with Cuba. He should know there is no human or natural force capable of causing the Cubans to give up their dreams of justice and freedom.

Our being noble must not be mistaken for weakness. Our absence of hatred must not be confused with fear. Our willingness to engage in dialogue must not be mistaken for the illusion of a surrender by a people that has not been defeated. There should be no mistake that Cuba could at any time be dominated. It would be very costly, indeed, for the aggressor.

Finally, I ask the Assembly, on behalf of the generous and courageous people back home in my country who are closely following what you all will decide today, to vote in favour of the draft resolution in A/58/L.4, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

I am asking you to forgive the words full of hatred and bereft of respect pronounced here by my adversary and I reiterate my respect to you and my thanks and those of my people.

I ask you to vote in favour of Cuba's rights, that is, the right of Cuba, which today is also everyone's right. I thank you.

Mr. Andjaba (Namibia): My delegation associates itself with the statement made by the representative of Morocco, on behalf of the Group of 77 and China. When the General Assembly adopted resolution 47/19 in 1992 on the "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", Member States did so in recognition of the fact that the embargo violates the principles of the United Nations Charter and the freedom of trade and international navigation. Thus, those States which had such laws or measures were urged to take the necessary steps to repeal or invalidate them as soon as possible. However, it is disheartening to note that to date no significant measures have been taken towards lifting the embargo. Instead, in recent years we have witnessed the strengthening of the embargo and the broadening of its extraterritorial implementation, as institutionalized by the Torricelli and Helms-Burton Acts, which in addition to violating the sovereignty of third-party States and international law, are continuing to cause serious damage to the Cuban economy.

The adverse effect on the population of Cuba cannot be overemphasized. The embargo has caused, and continues to cause, major damage to the Cuban people's material and spiritual welfare, imposing serious obstacles on their economic, cultural and social development. It has affected the Cuban people's full realization of their basic human rights, including the right to health and education, sectors that have been seriously affected by embargo regulations. Indeed, the embargo has made it extremely difficult for the country to purchase the food and medicines needed to sustain the lives of the Cuban people. It has deprived the Cuban people of the opportunities and benefits derived from free trade and peaceful coexistence.

In the Millennium Declaration, world leaders, among others, resolved to create an environment at both the national and global levels which is conducive

to economic development and to the fight against poverty. In order to live up to the expectations of the Declaration, we, the Member States, must make sure that no country is left behind in the fight to eliminate poverty.

Clearly, the embargo is an obstacle to Cuba's efforts to implement the Millennium Declaration. The new world order cannot be built on a cold war mind-set characterized by confrontation and economic blockade. There is no place for that in today's world of cooperation and free trade. Namibia therefore reiterates its call for the immediate and unconditional lifting of the unjust and unprovoked embargo imposed against Cuba. It is in this context that my delegation will vote in favour of the draft resolution contained in document A/58/L.4, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", which is before us today.

The President: Before giving the floor to the next speaker, I should like to propose that, in the absence of objection, the list of speakers in the debate on this item now be closed.

It was so decided.

Ms. Ndhlovu (South Africa): My delegation would like to thank the Secretary-General for his report on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba, as contained in document A/58/287. We also welcome the Foreign Minister of Cuba, His Excellency Mr. Felipe Pérez Roque.

My delegation regrets the fact that we again have to address the item on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba. Peaceful coexistence between and among nations requires that all civilized States observe international law. In this regard, the international community has repeatedly and consistently called for the lifting of the United States embargo against Cuba, and South Africa reaffirms its belief that that is the right thing to do. Those measures have caused untold suffering to the people of Cuba. It is therefore no wonder that the overwhelming majority of Member States are here today to continue to rally support for the draft resolution before us.

At the thirteenth Summit Conference of Heads of State or Government of the Non-Aligned Movement, held in Kuala Lumpur in February, leaders expressed their rejection of unilateralism, which is increasingly leading to the erosion and violation of international law. They also expressed their firm opposition to coercive and unilateral measures as a means of exerting pressure on developing countries, as such measures are contrary to international law, including international humanitarian law, the United Nations Charter and the norms and principles governing peaceful relations among States. The heads of State or Government also again called upon the Government of the United States of America to put an end to the economic, commercial and financial embargo against Cuba, which, in addition to being unilateral and contrary to the Charter, international law and the principle of good-neighbourliness, is causing huge material losses and economic damage to the people of Cuba.

The heads of State or Government further expressed deep concern about the widening of the extraterritorial character of the embargo against Cuba and the continual new legislative measures geared towards intensifying it, which clearly contradict the expressed will of the international community.

My delegation fully associates itself with the views expressed my many speakers, and calls upon all countries to reject the unilateral, extraterritorial measures imposed against Cuba, as they stand in stark contrast to international law, which guides all civilized States. My delegation also firmly believes in a strong multilateral system, based on clear and mutually accepted rules and principles, in which small and big nations are treated as equal sovereign States. The United Nations Charter embodies the vision, mission, principles and obligations that all signatories to the Charter must abide by. South Africa views the continued imposition of the economic, commercial and financial embargo against the Republic of Cuba as a flagrant violation of the principles of the sovereign equality of States and non-intervention and non-interference in the domestic affairs of foreign sovereign States, in this case Cuba.

We are guided by the basic norms of international conduct in our principled support for the need to eliminate economic coercive measures as a means of political and economic compulsion.

In line with previous United Nations resolutions on this item, among others, South Africa believes that constructive dialogue can foster mutual trust and

understanding, as well as engender harmony and peaceful coexistence between the two nations. Furthermore, we welcome attempts by all countries aimed at easing the economic strangulation of Cuba and at contributing to an improved quality of life for the people of Cuba.

South Africa will once again support the draft resolution to be considered by the General Assembly under this item. This, we believe, will be our humble contribution to the rule of international law and the strengthening of multilateralism.

Mr. Mahiga (United Republic of Tanzania): Tanzania is addressing the Assembly once again this year to join the international plea to the United States of America to end the economic, commercial and financial embargo against Cuba, which is entering its forty-fifth year. This is the twelfth successive year that the item is being deliberated in this Assembly.

The imposition of the embargo against Cuba over four decades ago seriously violates not only the fundamental principles of the United Nations Charter and of international law, but also the freedom of international trade. The situation was made worse by the passing of the Torricelli Act in 1991 and of the Helms-Burton Act in 1996, meant completely to isolate Cuba from international trade.

The extraterritoriality of the embargo, as institutionalized by the Torricelli and Helms-Burton Acts, in addition to breaching the sovereignty of third-party States as well as international law, has caused further severe damage to the economy of Cuba over the past 10 years. The effects are damaging to trade relations between Cuba and third-party nations and their private companies. The embargo has seriously affected Cuba's economic and social sectors, and it is estimated that in the past 44 years Cuba has lost more than $72 billion. We pay tribute to the dignified resilience and courage of the Cuban people in facing, and bracing against, these punitive measures.

We have expressed concern at the adverse effects of the economic embargo on the Cuban population, particularly its most vulnerable segments. One of the sectors hardest hit is the agricultural sector, whose development is key to food production and hence to the nutritional standards of the Cuban people. The embargo has generated conditions that lead to hardships for ordinary people. This is a violation of the Cuban people's right to food — one of the fundamental rights provided in various international Conventions on human rights. The embargo measures affect imports of food — products destined for the Cuban population, for both consumption in homes and social consumption in schools, senior facilities, hospitals and day-care centres.

It is very encouraging and praiseworthy to note that, despite all these odds, and under very difficult conditions, Cuba has managed to develop world-class health and educational systems, which it has generously shared with other developing countries. My country, Tanzania, has benefited from the excellent training in those fields provided to many Tanzanians over the years. Those world-class accomplishments have survived and flourished despite the very high costs of the embargo inflicted on Cuba. It is our conviction that Cuba's achievements in the fields of health and education would have been greater if no embargo had been imposed and that Cuba would have become a more prosperous nation.

The wholesale nature of the embargo, its longevity — over four decades — and its indiscriminate effects on infirm and innocent citizens, young and old alike, raises moral and ethical concerns over the issue of sanctions. The embargo has created a permanent state of siege and of belligerency, which forecloses meaningful options for resolving the issue. Coping with and surviving the embargo has become the singular preoccupation of the entire nation. We believe that the untried path of easing the sanctions and embarking on a dialogue could end the persistent stalemate and bring a new logic to an international environment, dominated by the politics of confrontation.

The Government of the United Republic of Tanzania has consistently called for the lifting of the economic embargo against the Republic of Cuba, and its position on the issue remains unchanged this year. Again, we appeal to all States to refrain from applying laws and measures and to lift such laws which infringe on freedom of trade and navigation, in accordance with the Charter of the United Nations. Tanzania will once again vote in favour of the draft resolution.

Mr. Alcalay (Venezuela) (*spoke in Spanish*): On behalf of the Government of the Bolivarian Republic of Venezuela, I should like to thank the Secretary-General for his report entitled "Necessity of ending the

economic, commercial and financial embargo imposed by the United States of America against Cuba".

Allow me at the outset to endorse fully the statement made by the representative of Morocco, who spoke on behalf of the Group of 77, whose position my country is in full agreement with. With respect to the embargo against Cuba, our position has been one of steadfast and firm rejection of the application of coercive measures in contravention of the fundamental principles of international law and, in particular, in violation of the provisions enshrined in the Charter of the United Nations, as stated in plenary this morning by the Minister for Foreign Affairs of Cuba, Mr. Felipe Pérez Roque.

My country, Venezuela, over the 12 years that the General Assembly has been considering this item, has time after time voted in favour of resolutions asking for the lifting of the economic, commercial and financial embargo imposed by the United States against Cuba, and, on this occasion, will reiterate its position.

The Bolivarian Republic of Venezuela, like most of the States Members of the United Nations, completely rejects the promulgation and application of laws and regulatory provisions with extraterritorial effects, because they violate the sovereignty of other States and run counter to the legitimate interests of juridical entities and of the natural persons under their jurisdiction and have a negative impact on the freedom of international trade and navigation.

Venezuela takes the view that the application of national laws and regulatory provisions such as the Helms-Burton or the Torricelli Acts, given their extraterritorial effects, adversely affects the sovereignty of States and constitutes a flagrant violation of the human rights of the Cuban people. We have seen with growing concern how those measures have been intensified and how their extraterritorial application has widened. My country therefore requests, through the worthy intermediary of the Secretary-General and of the President of the Assembly, that the necessary measures be adopted to repeal those measures and to render them null and void.

In accordance with that position, we have supported declarations adopted at a variety of international forums, such as the Ibero-American Summit, the Summit of the Movement of Non-Aligned Countries, the Group of 15 and the Group of 77, inasmuch as illegal and discriminatory measures such as those that have been applied against Cuba produce effects harmful to the Cuban people. Moreover, they seriously jeopardize multilateralism.

The international community has consistently repudiated such extraterritorial laws, which infringe on the sovereignty of other States, which in turn maintain diplomatic, trade and all other kinds of ties with the Cuban Government. This is incompatible with the principle of the sovereign equality of States, because illegal measures of this kind impede the social and economic development of the Cuban people, striking hardest at the most vulnerable among them, such as children and the elderly. By the same token, they also adversely affect housing, education and health and food programmes, to mention just a few of the social sectors involved.

In conclusion, we believe that conflicts and problems between States must be resolved through constructive dialogue and negotiation designed to foster confidence, peace and integration in the region. We have, as I have already said, once again decided to vote in favour of draft resolution A/58/L.4.

Mr. Erwa (Sudan) (*spoke in Arabic*): Respect for the principles enshrined in the Charter is one of the most important obligations incumbent upon members of the international community in order to promote brotherhood, cooperation, justice and equality among States and respect for the choices of peoples. Thus, the international community should have evolved beyond the stage when the law of the strongest and most dominant prevailed and should have reached a stage where human development is measured by respect for the law and for the rights and choices of others.

For the twelfth consecutive year, the General Assembly is considering the item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". Over the course of those 12 years the Assembly has constantly reiterated its belief in the right of peoples to self-determination — by adopting draft resolutions like the one before us — and has made an appeal to all States not to accept or implement unilateral national decisions with negative extraterritorial effects, which are a clear violation of the principles of international law.

Today, we are once again considering agenda item 29 on the need to end the embargo against Cuba.

The General Assembly voted in favour of resolution 57/11 last year, with 173 votes in favour, which reflects a growing awareness of the danger inherent in unfairly imposing sanctions against Member States. In addition, we can see that danger in their harsh effects on all aspects of life and infrastructure in the countries concerned.

One can imagine the damage inflicted upon Cuba over the past four decades and the unspeakable suffering that is daily visited upon its people, who have been deprived by the embargo of even the basic necessities.

My country has also suffered from unilateral sanctions like those imposed on Cuba, imposed by the same country. That country has renewed its sanctions against Cuba for another year. Furthermore, other countries suffer from the same unwarranted policies, most recently the brotherly State of Syria, which is threatened with the imposition of sanctions.

Our position on this issue is principled and firm. We are against policies of exclusion and coercion, and imposition of hegemony upon other peoples.

Finally, we appeal to all States to vote in favour of the draft resolution introduced by Cuba on this item, thereby strongly rejecting these unilateral acts, which are undoubtedly a violation of international law and the Charter of the United Nations.

Mr. Kazemi Kamyab (Islamic Republic of Iran): Let me start by expressing our appreciation to the Secretary-General for his report on the agenda item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" (A/58/287) and by expressing my deep disappointment over the ongoing embargo against that country.

The use of unilateral measures as a means of political and economic coercion against developing countries has been condemned by decisions and resolutions of various bodies of the United Nations, particularly the General Assembly and the Economic and Social Council. The international community should become more vocal about the need to repeal such measures and prevent similar actions.

The adoption and application of unilateral coercive measures impedes full achievement of economic and social development by the populations of the affected countries, particularly children and women. It hinders their well-being and creates obstacles to sustainable development and the full enjoyment of their human rights, including the right of all individuals to a standard of living adequate for their health and well-being and their right to food, medical care and necessary social services. It must be ensured that food and medicine are not used as tools for political pressure.

Resort to unilateral economic coercive measures jeopardizes the legitimate economic interests of the targeted developing countries. The United Nations system and other relevant international and multilateral organizations are redoubling their efforts to create and strengthen a conducive international economic environment capable of providing equal opportunities for all countries to benefit from international economic, financial and trade systems. It is also necessary that the international community consider ways and means of compensating the losses of targeted countries caused by those who resort to such unilateral measures.

Mr. Sow (Guinea) (*spoke in French*): Guinea fully associates itself with the statement made by the representative of the Kingdom of Morocco on behalf of the Group of 77 and China.

We also note with regret, as other Member States have, that the item that we are dealing with this morning has been a fixed item on the General Assembly agenda for more than a decade. However, the international community's position on the matter is clear. The constancy and the solidarity that have characterized it throughout the years are symbolic of Member States' strong opposition to the unilateral embargo imposed on Cuba. Bearing eloquent witness to that position is also the fact that 173 countries voted in favour of the resolution at the last session of the General Assembly.

This is an occasion for me to reiterate my country's unswerving commitment to the principles of the Charter that enshrine the sovereign equality of States, non-intervention and non-interference in the internal affairs of States, as well as freedom of trade and international navigation.

It is our belief that disputes among States should be resolved through dialogue and negotiation on the basis of mutual respect and the principle of equality.

My delegation believes that promulgating and enacting extraterritorial unilateral coercive measures is

unacceptable. For that reason, it reiterates its solidarity with the Cuban people and expresses its profound concern over the persistence of legislation that jeopardizes both the letter and the spirit of the Charter.

My country, which is linked to Cuba by excellent ties of friendship, regards the lifting of sanctions as extremely urgent in order to relieve the suffering of its people, particularly children, women and the elderly.

As in previous years, my delegation will vote in favour of the draft resolution before us.

Mr. Mpundu (Zambia): My delegation has taken the floor to express Zambia's view on this annual draft resolution on the subject of the Secretary-General's report, namely the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba (A/58/287). The report has provided a clear and objective analysis of the negative impact arising from the blockade. This embargo has aggravated the plight of ordinary Cuban people, especially vulnerable groups such as children, women and the elderly.

Over the years, this Assembly has adopted numerous resolutions demanding the lifting of the economic embargo against Cuba, with the overwhelming support of Member countries. Zambia's foreign policy is based, inter alia, on the principles of international law governing relations among States, the self-determination of peoples, non-interference in the affairs of other States, the peaceful settlement of disputes, the prohibition of the threat or use of force in the international relations, the legal equality of States, international development cooperation and the search for international peace and security.

My Government does not support the use of coercive measures as a means of exerting pressure in international relations, as the use of such measures is contrary to the practice of international law and the principle of peaceful coexistence among nations. The Government of the Republic of Zambia has repeatedly expressed its opposition to the imposition of economic or political sanctions that do not have the blessings of the Security Council and any other measures that are not sanctioned by the General Assembly. It is for that reason that Zambia is opposed to the economic, commercial and financial embargo imposed on Cuba 40 years ago.

Zambia believes that the embargo against Cuba is a breach of international law and a departure from the principles of the Charter. We also regard the extraterritorial nature of the Helms-Burton Act as an infringement on the territorial integrity of States. It is also an impediment to international navigation and free trade, as embodied in the World Trade Organization Final Act. The principles of free navigation and trade are welcomed by all freedom-loving nations.

Zambia's relations with Cuba are based on mutual respect and the principle of non-interference in each other's internal affairs. My Government, therefore, calls upon this Assembly to support this draft resolution, which is designed to enhance the social and economic development of the Cuban people.

As a landlocked developing country, Zambia has consistently affirmed the right of access of both landlocked and transit countries to and from the sea by all means of transportation, in accordance with international law. In pursuit of those lofty objectives, my delegation wishes to reaffirm its support for the draft resolution. Accordingly, my delegation will vote in favour of the draft resolution before us. Our vote will be based on our adherence to the principles of the Charter of the United Nations.

In conclusion, my delegation once again appeals to all Member States to support the call for a complete lifting of the economic, commercial and financial embargo against Cuba. Lifting the embargo will go a long way towards strengthening freedom of trade and of navigation in the Caribbean and in other areas of the world, and in particular towards alleviating the suffering of the Cuban people.

Mr. Amer (Libyan Arab Jamahiriya) (*spoke in Arabic*): Once again the General Assembly is considering the item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", despite the vast number of resolutions adopted by many regional and international bodies, including the General Assembly, and despite the fact that the United States should have implemented those resolutions.

But the reality is quite different. We all can see that the laws governing the embargo against Cuba are being enhanced and expanded, especially the Helms-Burton Act, which prohibits all entities and third countries from engaging in free trade with Cuba.

The United States of America has imposed embargoes not only on Cuba but on many other countries as well, including Libya, in an attempt to force those countries to follow policies that run counter to their own choices and convictions. The embargo against Cuba has had an extremely adverse impact, in particular in the area of health care. But that has simply helped to strengthen the determination of the people of Cuba to build their country and to defend it.

The policy of drawing up lists of so-called outlaw or rogue States should be denounced quite firmly. The embargo policies that have been imposed by the United States against many countries, which stand in the way of freedom of trade and navigation, are detrimental to the people of targeted countries — including the American people. It should also be borne in mind that the United States, as a permanent member of the Security Council, has the responsibility to lift the commercial, financial and economic embargo against Cuba and other countries. The embargo has been repeatedly denounced by the international community, given that it contravenes all relevant treaties and provisions of international law.

The Charter of the United Nations and international law lay down mechanisms for the resolution of disputes among countries. My country hopes that those two neighbouring countries — Cuba and the United States — will find a peaceful solution to their disputes. States want to see the dispute resolved by peaceful means, as repeatedly called for by the international community and by regional organizations, as enshrined in the provisions of international law.

Indeed, it will not be possible to establish global peace, restore friendly relations among countries or promote development in the absence of international cooperation based on mutual understanding and respect for the sovereignty and political and economic choices of all countries, large and small.

Mr. Swe (Myanmar): My delegation would like at the outset to associate itself with the statement made by the delegation of the Kingdom of Morocco on behalf of the Group of 77 and China.

My delegation is taking the floor once again this year to express our concern over the continued economic, commercial and financial embargo imposed by the United States of America against Cuba. Since 1991, when a resolution on this item was first adopted at the forty-sixth session, successive General Assembly resolutions have continued to give further support, with an overwhelming majority calling on the United States to end the embargo against Cuba. The United States has yet to heed the wishes of the international community.

My delegation concurs with the view that Member States have the right to adopt policies of their choice to promote their own national interests. My delegation firmly believes that, in the conduct of relations among sovereign nations, we should uphold international law and the purposes and principles of the Charter of the United Nations. The Millennium Declaration, while reaffirming the sovereignty of all States, called for an open, equitable, rule-based, predictable and non-discriminatory multilateral trading and financial system. Embargoes run counter not only to the purposes and principles enshrined in the Charter of the United Nations but also violate fundamental principles of international law.

My delegation considers that normalization of relations between the United States of America and Cuba through dialogue and cooperation is in the best interest of the peoples of both countries. In this regard, my delegation welcomes the recent move by the United States Congress to lift travel restrictions on United States citizens who wish to visit Cuba. My delegation views it as a step in the right direction and hopes that increased interaction will promote better understanding among the peoples of both countries and eventually lead to the lifting of the embargo.

The Government of the Union of Myanmar continues to maintain its consistent policy of strict adherence to the principles of the Charter of the United Nations and to the view that the promulgation and application by Member States of laws and regulations whose extraterritorial effects affect the sovereignty of other States and the legitimate interests of entities or persons under their jurisdiction, as well as freedom of trade and freedom of navigation, violate the universally adopted principles of international law.

As a reaffirmation of our consistent policy, my delegation will vote in favour of draft resolution A/58/L.4, submitted by Cuba.

Mr. Chidyausiku (Zimbabwe): Like many others who have spoken before me, my delegation firmly rejects the imposition of laws and regulations with extraterritorial impacts and all other forms of coercive economic measures — including unilateral sanctions

against Cuba — and reaffirms the urgent need to eliminate them immediately. Zimbabwe emphasizes that such actions not only undermine the principles enshrined in the Charter of the United Nations and international law, but also severely threaten freedom of trade and investment.

We therefore call on the international community neither to recognize such measures nor to apply them. In the spirit of fostering North-South relations, we underline the need for developed countries to eliminate laws and regulations with adverse extraterritorial effects and other forms of unilateral economic coercive measures, which are inconsistent with the principles of international law, the Charter of the United Nations and the principles of the multilateral trading system.

Zimbabwe will vote in favour of the draft resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" (A/58/L.4).

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): The Charter of the United Nations, in its principles and purposes, reaffirms the right of States to exercise sovereignty over their territory and to non-interference in their internal affairs. All Members of the United Nations — particularly the great Powers — are obliged to respect the Charter, which is the Organization's constitution and its first and last frame of reference. The embargo that has been imposed on Cuba for more than 40 years has caused all kinds of economic, social and political damage to that country. It has deepened the suffering of the Cuban people — particularly children and the elderly — and it has negatively affected the Cuban people's tireless efforts to achieve well-being and prosperity.

My delegation appreciates Cuba's constant endeavour to conduct a constructive dialogue with the United States to settle all differences between the two parties on the basis of equal sovereignty, mutual respect, non-interference in the internal affairs of both States and respect for the principles and purposes of the United Nations Charter, as well as the principle of good-neighbourliness. My delegation believes that the normalization of relations between the United States and Cuba would serve the interests of the peoples of both countries.

The international community's increased support for the necessity of ending the embargo against Cuba is an affirmation of the need to respect the political, economic and social systems chosen by people as an expression of their will and in the light of their national interests. In that respect, we should like to draw attention to the positions of the heads of State and the presidents of the Non-Aligned Movement and the Group of 77 and China calling for an end to the embargo against Cuba. My delegation hopes that all forms of sanctions imposed by the United States against Cuba will be lifted, including the new legislation that has expanded the embargo under the Helms-Burton Act. We hope that the international community's voice will be heeded by the Government of the United States.

Therefore, the Syrian Arab Republic will vote in favour of the draft resolution (A/58/L.4) submitted to the General Assembly today.

Mr. Jenie (Indonesia): Since the forty-seventh session of the General Assembly, Member States have increasingly rejected the deployment of unilateral trade measures by any Member State to attempt political reforms in another Member State. Given that fact and the events of the past few years, my delegation sees no reason to believe that there will not be a resounding rejection of the unilateral embargo against Cuba during the fifty-eighth session. In our view, we must collectively find a way to bring that unfair embargo to an end. Within the United Nations, Member States and relevant organs and agencies continue to ask for that step to be taken, and it is the right step to take.

We are of the view that embargoes imposed through unilateral trade measures run counter to the spirit of the Charter of the United Nations and must therefore come to an end. In our view, the economic blockade against Cuba violates the right of every Cuban man, woman and child to life, to well-being and to development without distinctions of any kind. Indeed, it is known that among the hardest hit are the children of Cuba. The embargo — which extends to food, medicine and other forms of humanitarian aid — is extreme, discriminatory and prejudicial. It has inflicted the most pernicious economic damage on the nation and multiplied the difficulties of the Cuban people; it cannot be defended under the pretext of trying to protect those same people.

In the light of that continued and collateral damage, Indonesia calls for a review of the current policy in favour of one based on dialogue and negotiation — a policy that is more likely to receive

the backing of the international community. Indeed, we recognize that in recent years, the United States has granted some American companies licences to supply medicines and foodstuffs to Cuba on purely humanitarian grounds. While we welcome such developments, we cannot fail to believe that nothing will suffice but a complete removal of the embargo, with a view to permitting normal international trade. Giving medicine to a malnourished child when food would have prevented his condition in the first place is quite unfortunate and illogical.

Indonesia would like to reaffirm its commitment to respect for the fundamental principles of sovereign equality among States, non-interference in their internal affairs and freedom of international trade and navigation. We commend the international community's efforts to uphold those principles and to put an end to the unilateral economic, commercial and financial embargo against Cuba.

Finally, therefore, in strong support of those and related principles of international law, the United Nations Charter and the promotion of the freedom of trade, Indonesia will again vote in favour of the draft resolution (A/58/L.4).

Mr. Kittikhoun (Lao People's Democratic Republic) (*spoke in French*): More than four decades of economic, commercial and financial embargo against the Republic of Cuba by the Government of the United States of America have gone by. The embargo still remains in effect and has been tightened even further. Moreover, it has caused great suffering among innocent Cuban people and continues to create needless tension between neighbouring countries.

In today's world, marked by many types of cooperation between and among States, it is disappointing to see the continued existence of unilateral discriminatory trade practices. As we see it, the extraterritorial application of the domestic laws of one country clearly runs counter to the purposes and principles of the Charter. In accordance with relevant General Assembly resolutions, a Member State must neither promulgate nor apply rules, regulations or measures, the extraterritorial effects of which would harm the sovereignty of other Member States, as well as to free trade.

As a matter of sovereignty, each nation is entitled to participate freely in the international financial and trading systems. Mindful of the internationally recognized principles of national sovereignty, no country has the right to interfere in the domestic affairs of another, despite the fact that the other has a different economic and social system. As a sovereign and independent nation, the Republic of Cuba has the right to choose its own political system, as well as its own development model. To reduce poverty and achieve its sustainable development, Cuba should be empowered to maintain and promote trade ties with all countries of the world.

The Lao People's Democratic Republic, together with the majority of Member States, shall continue to strive to put an end to the economic, commercial and financial embargo against Cuba. This policy, unprecedented in international law, has thus far benefited neither of the two parties. The Republic of Cuba is a Member of the United Nations, and as Members ourselves, we must do all within our power to help that country regain its legitimate right to be a full-fledged member of the global economy.

It is in that context that my Government shall vote in favour of the draft resolution contained in document A/58/L.4.

The President: We have heard the last speaker in the debate on this item. The Assembly will now take a decision on draft resolution A/58/L.4.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary,

Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, United States of America

Abstaining:

Micronesia (Federated States of), Morocco

Draft resolution A/58/L.4 was adopted by 179 votes to 3, with 2 abstentions (resolution 58/7).

The President: Before giving the floor to speakers in explanation of vote after the vote, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Isakov (Russian Federation) (*spoke in Russian*): The Russian Federation, like the overwhelming majority of Member States of the United Nations, firmly rejects the United States embargo against Cuba and favours its repeal. Our position on this matter has been steady and consistent: at sessions of the General Assembly, the Russian Federation has voted in favour of draft resolutions calling for an end to the economic, commercial and financial embargo imposed by the United States against Cuba.

The Russian Federation believes that the continuation of the United States embargo against Cuba is incompatible with today's requirements or with modern international relations. It is a relic of the cold war that creates an artificial impediment to the establishment of a world legal order based on the provisions of the Charter and the principles of international law and justice.

Along with other States, the Russian Federation has thus repeatedly expressed its disagreement with United States attempts to tighten the embargo and to expand the extraterritorial implementation of the Helms-Burton Act. In our view, this Act is rightly described as discriminatory and contrary to the Charter of the United Nations and norms of international law, insofar as its extraterritorial effects impinge on the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the generally recognized freedom of trade and navigation.

Favouring all realistic steps aimed at normalizing United States-Cuban relations, the Russian Federation notes with regret that the tone of American statements on key aspects of its policy towards Havana reveals that the United States continues to rely on the sanctions method for bringing pressure to bear on the Republic of Cuba. The Russian Federation is seriously concerned by United States attempts to strengthen the sanctions regime against Cuba and to exert pressure on third countries and various international organizations, with the aim of making them limit their cooperation with Cuba.

At the same time, we note with satisfaction the approval by the United States Senate of the legislation to ease travel restrictions on Americans seeking to visit Cuba. The Russian Federation is convinced that lifting the commercial, economic and financial embargo against Cuba would represent a major step towards normalizing relations between Havana and Washington, would be in the interest of the peoples of Cuba and the United States, and have a beneficial effect on the overall situation in the Central American and Caribbean region.

In keeping with the principles of sovereign equality of States, non-interference in their internal affairs and freedom of trade and international shipping — referred to in the resolution — the Russian

Federation reaffirms its intention to continue furthering normal trade and economic ties with Cuba, based on mutual interest and mutual advantage, without discrimination or detriment to the legitimate rights and interests of the two countries.

Guided by the fundamental principles of the Charter concerning the inadmissibility of discriminatory measures or interference in the affairs of sovereign States, the Russian Federation deemed it necessary to vote at the present session as it has at previous sessions of the General Assembly, namely, in favour of the draft resolution (A/58/L.4) calling for the embargo to be lifted. We express the hope that the normalization of Cuba-United States relations, which the international community has consistently advocated, will enable the situation in the region to improve radically and enable relations between the United States and Cuba to develop on a basis of mutual understanding and close cooperation and in the interest of the well-being and prosperity of the peoples of both countries.

Mr. Mantovani (Italy): I have the honour to speak on behalf of the European Union. The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the associated countries Bulgaria and Romania and the European Free Trade Association country member of the European Economic Area Iceland, declare that they align themselves with this explanation of vote.

I have the honour to take the floor on behalf of the European Union with reference to the resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" (resolution 58/7). The European Union believes that the United States trade policy towards Cuba is primarily a bilateral issue. However, the European Union has to reiterate its opposition to the extraterritorial aspect of the United States embargo that has been implemented in accordance with the Cuban Democracy Act of 1992 and the Helms-Burton Act of 1996.

The European Union cannot accept that its economic and commercial relations with third countries be restricted through unilateral measures imposed by the United States on specific countries, in this case Cuba. Therefore, in November 1996, the Council of Ministers of the European Union adopted a regulation and a joint action aimed at protecting the interests of natural or legal persons from the European Union against the extraterritorial effects of the Helms-Burton Act.

It was encouraging that, during their summit in London in 1998, the European Union and the United States agreed on a package of measures involving, inter alia, agreement by the United States to suspend Titles III and IV of the Helms-Burton Act and to not adopt any further extraterritorial legislation of that kind, as well as agreement on both sides to increase investment protection. The European Union trusts that the United States Government will continue to act in accordance with the commitments made.

The European Union's policy towards Cuba is clear and coherent with its principles. The Union adopted its common position on Cuba in December 1996, a position that is still in effect. The main objective of the European Union in its relations with Cuba is to encourage a process of peaceful transition to a pluralistic democracy and respect for human rights and fundamental freedoms, as well as improvement in the living standards of the Cuban people. We want this process to move forward as quickly as possible.

The European Union strongly condemns the serious deterioration of the human rights situation in Cuba. The increase in violations of human rights has raised an international wave of protests and condemnations and has increased the European Union's concern about the political situation in Cuba.

However, constructive engagement still remains the basis of the European Union's policy towards Cuba and we call upon the Cuban authorities to respond accordingly. The European Union urges the Cuban authorities to bring about speedy, lasting and substantial improvements in the situation, in particular with a view to ensuring the full respect for all human rights. In that connection, the European Union calls for the immediate release and full reintegration into society of all prisoners of conscience. We appeal to the Cuban authorities to cooperate fully with international human rights bodies and mechanisms.

The European Union reaffirms its declaration made by the Presidency on 5 June 2003.

The European Union rejects the restrictions imposed on the embassies of most European Union member States by the Cuban authorities, which

constitute a de facto violation of the Vienna Convention on Diplomatic Relations.

On the economic side, the European Union considers that opening up of the Cuban economy to the outside world continues to be necessary. Economic growth is essential in order to address poverty alleviation in the country. In that respect, the negative consequences of the economic, commercial and financial embargo imposed by the United States of America and the severe limitations caused by the centralized economic system are working contrary to the economic development of the island.

For all those reasons and in spite of its serious criticism of Cuba, the European Union unanimously voted in favour of the resolution that has just been adopted.

Mr. Ishikawa (Japan): Japan shares the concerns expressed by many delegations today regarding the extraterritorial application of jurisdiction arising from the Helms-Burton Act of the United States, which is likely to run counter to international law. My Government has been closely following the implementation of the legislation, as well as the circumstances surrounding it, and its concerns remain unchanged. For this reason, my delegation voted in favour of draft resolution A/58/L.4.

While Japan supported the draft resolution, it has some questions as to whether the United Nations General Assembly is in fact the most suitable forum in which to address the very complex issue of the United States embargo against Cuba. Japan believes that it is desirable for both countries to seek a solution through bilateral dialogue, and thus calls upon them to strengthen efforts towards that end.

Ms. Rivero (Uruguay) (*spoke in Spanish*): My delegation has the honour of speaking on behalf of the member countries of MERCOSUR, Argentina, Brazil, Paraguay and Uruguay and the associated States Chile and Bolivia. As in past years, MERCOSUR and associated countries voted in favour of the resolution just adopted by the General Assembly on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.

Our countries, faithful since the very inception of this Organization to upholding the objectives and principles of the United Nations Charter, rejected the extraterritorial application of domestic laws that belittles the principle of non-intervention in domestic affairs and assaults the sovereignty of States.

Disputes between States must be resolved through dialogue, solidarity and mutual understanding. Coercive measures are a last resort and can be used only in line with the parameters laid down in international law. The application of unilateral coercive measures contradicts the norms of international law, and at the same time hurts the interests of third countries, raises international tensions and weakens the fight against shared threats.

As emerges from the responses our countries have sent to the Secretary-General in connection with preparing the report requested in resolution 57/11, we are convinced that the application of unilateral coercive measures does not contribute to promoting the democratic system and respect and protection of human rights.

MERCOSUR and its associated countries have repeatedly rejected the economic, commercial and financial embargo imposed by the United States of America on Cuba in the United Nations General Assembly, as well as in other international forums, such as the General Assembly of the Organization of American States, the Ibero-American Summit within the Latin American Economic System and the Summit Conference of the Rio Group. The embargo also contravenes the juridical obligations incumbent upon members of the World Trade Organization.

For all of the foregoing reasons that our countries have joined in the virtually unanimous rejection expressed once again by the international community.

Mr. Tesch (Australia): Australia shares the widespread concerns about the state of human rights and political freedoms in Cuba, but we do not consider that isolating Cuba through economic sanctions is an effective means of achieving human rights and political reform. As a matter of principle, Australia has consistently expressed its opposition to the promulgation and application by Member States of laws and measures whose extraterritorial effects impinge on the sovereignty of other States, the legitimate interest of entities or persons under their jurisdiction, as well as freedom of trade and navigation. In Australia's view such laws and measures are not justified by the principles of international law and comity. Australia is therefore concerned about the

unilateral, extraterritorial aspects of the Helms-Burton Act of 1996 and has therefore again voted in favour of the resolution submitted under this item.

Mr. Paulovich (Belarus) (*spoke in Russian*): During the previous session Belarus, together with the overwhelming majority of Member States, voted in favour of resolution 57/11 to end the economic, commercial and financial embargo imposed by the United States of America against Cuba. At the same time, our delegation is concerned that, since that document was adopted, the situation has not altered substantially. The discussion of this matter at the Assembly's current session has given us an opportunity once again to confirm the commitment of Belarus to respect for the central principles of the sovereign equality of States, non-intervention in the internal affairs of States and freedom of international trade and navigation.

Belarus has always favoured the abrogation of unilateral legislation by Member States the extraterritorial nature of which affects the sovereignty of other States, as well as the legal and financial interests within their jurisdiction and freedom of trade and navigation. In accordance with the fundamental principles of international law, including the Charter of the United Nations, Belarus has not applied, nor has it any intention of applying in future, any measures of that kind. My delegation believes that international disputes should only be resolved through negotiations on the basis of respect for the principles of equality and mutual benefit.

My Government is convinced that the conditions are ripe for the gradual resolution of the dispute between the United States and Cuba, and it calls upon the parties to step up their efforts in that regard. As this is our position, Belarus supported the draft resolution which was tabled for consideration before today's meeting of the General Assembly.

Mr. Strømmen (Norway): The Norwegian Government believes there is a clear distinction between unilateral measures, on the one hand, and sanctions adopted by the international community, through the United Nations, on the other. In our view, no country should impose its legislation on third countries. Norway has, therefore, once again voted for the resolution.

The embargo cannot, however, in any way justify the lack of civil and political rights in Cuba, and the current persecution of peaceful dissidents, writers and journalists that take place in that country.

The President: One representative has requested the right to exercise the right of reply. May I remind members that statements in the exercise of the right of reply are limited to 10 minutes for the first intervention and to 5 minutes for the second intervention, and should be made by delegations from their seats.

Mr. Requeijo Gual (Cuba) (*spoke in Spanish*): My delegation wishes to intervene to express its surprise at the statements just made in explanation of vote by the representative of Italy, on behalf of the European Union and various associated States, and by the representative of Norway.

These statements are vivid proof of the European Union's hesitation in the face of United States pressure, and in asking Cuba what they do not dare ask the United States they betray their dependence and total hypocrisy. My delegation regrets the fact that Italy's statement went beyond the scope of the discussion on item 29, which is clearly spelled out on the agenda of the current session of the Assembly and, instead, moved into areas recalling the old, exhausted arguments of the past that for almost 45 years have served as the basis for the genocidal policy pursued by successive United States Administrations to bring Cuba down by hunger and disease.

The attack against the Cuban social order, which the Cuban people have chosen in free exercise of their right to self-determination, sovereignty and independence, is rejected by my delegation in the name of the more than 11 million Cubans who, notwithstanding blockades and semi-blockades, stand firm and hold up the banners of dignity and valour. Our people reject those fallacies and distortions, coming from the most reactionary and backward circles still suffering from outdated colonial-era syndromes which have been happily overcome for all time within Cuba itself.

In Cuba no one is arrested or tried for his or her religious beliefs or for voicing their opinions. The representative of Italy must know that those individuals he mentions worked for years as employees of a foreign and hostile Power, receiving specific instructions as to what to do and how to act, as well as material and financial backing from the United States Government and from extreme right-wing Cuban-American groups based in North American territory.

These individuals' sole objective was to subvert Cuba's domestic order and harm its economic, political and social system, with the goal of re-establishing the situation of dependency and subordination vis-à-vis the United States that it suffered under for over half a century.

The individuals in question blatantly violated Cuban law and acted on behalf of a foreign Power, thus contravening the most basic interests of their country by favouring its annexation by this foreign Power. The representative of Italy must know that those individuals implicated in those offences were tried by established courts, enjoying all guarantees and due process, in conformity with our Constitution and our domestic legislation. These individuals enjoyed full freedom to appoint their own attorneys and freely voiced whatever they wished to say in oral public hearings. They had the opportunity to call witnesses and produce evidence and benefited from their right to make their final statements as provided under the law. The punishments imposed upon those accused were in accordance with Cuba's Criminal Code, which guarantees the right to those accused to appeal before a superior court established for that purpose.

It is surprising to hear the distinguished representative of Italy show such keen interest in the full reincorporation of so-called prisoners of conscience within Cuban society, when the European Union has not shown any similar concern over the trial brought in Miami against five young Cubans for having fought against the terrorism occurring daily against Cuba from the United States, and who were sentenced to long and harsh sentences, including life sentences, following a spurious trial bereft of any such rights.

We still remember Favio di Celmo, a young Italian who died in 1997 as a result of a bomb placed in a hotel in Havana by mercenary hands paid by the very same terrorists. Yet despite the European Union's alleged concern for the lot of its nationals, it has never issued a declaration. It is regrettable that some member countries of the European Union should have endorsed the subversive provocative activities perpetrated by the United States Interests Section in Cuba, in pursuit of the hostile policies that this august Assembly has just now all but unanimously repudiated. These provocative and subversive activities are the ones that violate all the norms and conventions governing regulations between States, in particular the Vienna Convention on Diplomatic Relations of 1961. The strong repudiation by the Cuban people of such actions is the basis for the repeated reference to this Convention by Cuban authorities when addressing representatives of the European Union.

My delegation regrets the path being followed by some members of the European Union in their ties with Cuba, not in terms of the dialogue they propose but in terms of their confrontational stance, including the suspension of cooperative programmes, an action taken by the Italian Government at the beginning of this year in a sort of laughable caricature of the United States blockade they had just claimed to denounce.

My delegation, together with other delegations gathered here, voices its full repudiation of the decision adopted this year by the European Union to suspend all cultural ties with Cuba. This not only adversely affects the Cuban people and their cultural efforts, but also keeps the peoples of the European Union from gaining access to an autonomous and vibrant culture which, despite over 40 years of isolation and blockade, has managed to maintain itself.

It is inconceivable that the European Union should have resorted to political indecision and obscurantism here at the threshold of the twenty-first century, when they talk about communication and dialogue among civilizations and the globalization of culture. The Cuban delegation reaffirms that, notwithstanding the well-known blockade and those lesser-known forms of blockade that others would seek to impose upon the Cuban people through coercive measures based upon a moral double standard and hypocrisy, the independence that has cost us so much to obtain and to keep, will be preserved and indeed strengthened even if this displeases certain reactionary and backward circles.

The President: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 29?

It was so decided.

The meeting rose at 12.55 p.m.